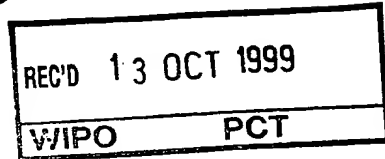


7.11



09/763955
AU99/705

T/AU99/00705



4

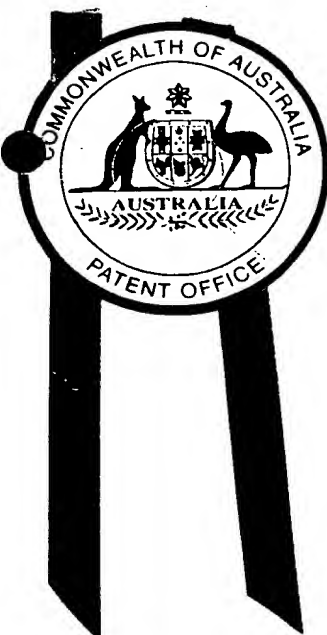
Patent Office
Canberra

I, LEANNE MYNOTT, TEAM LEADER EXAMINATION SUPPORT AND SALES hereby certify that annexed is a true copy of the Provisional specification in connection with Application No. PP 5572 for a patent by THE UNIVERSITY OF QUEENSLAND filed on 31 August 1998.

WITNESS my hand this
Sixth day of October 1999 .

A handwritten signature in dark ink, appearing to read "L. Mynott".

LEANNE MYNOTT
TEAM LEADER EXAMINATION
SUPPORT AND SALES



**PRIORITY
DOCUMENT**

SUBMITTED OR TRANSMITTED IN
COMPLIANCE WITH RULE 17.1(a) OR (b)

THIS PAGE BLANK (USPTO)

THIS PAGE BLANK (USPTO)

The University of Queensland

A U S T R A L I A

Patents Act 1990

PROVISIONAL SPECIFICATION

for the invention entitled:

"A novel plant promoter and uses therefor"

The invention is described in the following statement:

THIS PAGE BLANK (USPTO)

- 2 -

Plants are subject to a variety of environmental and mechanical stimuli including stress. Although mechanical stress has been postulated to involve ethylene-mediated meristem morphogenesis (Selker *et al*, 1992), little is known about how mechanical stress induces ethylene production or the signal transduction process involved.

5

In work leading to the present invention, the inventors sought to identify and isolate promoters involved in mechanical stress-induced expression of genetic traits in *Vigna radiata* (mung bean). Mung bean plants are a useful model for physical and chemical induction of phenotypic expression of genetic traits due to their morphology, rapid growth rate and the ability to obtain
10 a large number of uniform plants and, therefore, sufficient amounts of tissues to conduct analyses.

In accordance with the present invention, the inventors have isolated a promoter capable of induction following physical stimulus in cells in which the promoter is indigenous, i.e. cells of
15 mung bean plants. The promoter is also capable of being induced by a range of chemical and other environmental stimuli. However, in cells in which the promoter is non-indigenous, the promoter is constitutively expressed. The promoter of the present invention is useful in the genetic manipulation of plants.

20 SUMMARY OF THE INVENTION

Throughout this specification, unless the context requires otherwise, the word "comprise", or variations such as "comprises" or "comprising", will be understood to imply the inclusion of a stated element or integer or group of elements or integers but not the exclusion of any other
25 element or integer or group of elements or integers.

One aspect of the present invention provides an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein, in its native form, the promoter is inducible in response
30 to physical stimulation.

- 3 -

Another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof, wherein said promoter, in its native form, directs expression of a gene associated with ethylene production and is inducible by physical stimulation.

5

Yet another aspect of the present invention relates to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase and is inducible by physical stimulation.

10

Still another aspect of the present invention provides an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase or another gene associated with ethylene

15 biosynthesis and is inducible by physical stimulation.

Still yet another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs

20 expression of a gene encoding an ACC synthase having an amino acid sequence substantially as set forth in SEQ ID NO:2 or an amino acid sequence having at least 60% similarity to SEQ ID NO:2.

A further aspect of the present invention relates to an isolated nucleic acid molecule comprising

25 a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase and wherein said gene comprises a nucleotide sequence substantially as set forth in SEQ ID NO:1 or a sequence having at least 50% similarity thereto and/or a nucleotide sequence capable of hybridizing to SEQ ID NO:1 under low stringency

30 conditions at 42°C.

- 4 -

Still another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, comprises a nucleotide sequence substantially as set forth in SEQ ID NO:3 or a nucleotide
5 sequence having at least 25% similarity thereto or a nucleotide sequence capable of hybridizing to SEQ ID NO:3 under low stringency conditions at 42°C.

Another aspect of the present invention provides a modular promoter, said modular promoter comprising at least one portion which is derived from a promoter which, in its native form,
10 directs expression of a gene associated with ethylene biosynthesis and is inducible by physical stimulation.

Yet another aspect of the present invention is directed to a modular promoter, said modular promoter comprising at least one portion which is derived from a promoter which, in its native
15 form, directs synthesis of an ACC synthase having an amino acid sequence substantially as set forth in SEQ ID NO:2 or an amino acid sequence having at least 60% similarity thereto.

Still yet another aspect of the present invention is directed to a modular promoter, said modular promoter comprising at least one portion which is derived from a promoter which, in its native
20 form, directs synthesis of an ACC synthase encoded by a gene comprising a nucleotide sequence substantially as set forth in SEQ ID NO:1 or a nucleotide sequence having at least 50% similarity thereto or a nucleotide sequence capable of hybridizing to SEQ ID NO:1 under low stringency conditions at 42°C.

25 In still yet another aspect of the present invention, there is provided a modular promoter comprising a portion which is derived from a promoter which comprises, in its native form, a nucleotide sequence substantially as set forth in SEQ ID NO:3 or a nucleotide sequence having at least 25% similarity thereto or a nucleotide sequence capable of hybridizing to SEQ ID NO:3 under low stringency conditions at 42°C.

30

Another aspect of the present invention contemplates a genetic construct comprising a promoter

- 5 -

or modular promoter each as herein defined or a derivative or homologue thereof, means to facilitate insertion of a nucleotide sequence downstream of and operably linked to said promoter and optionally a gene encoding a selectable marker.

- 5 A further aspect of the present invention provides a genetic construct comprising a promoter or modular promoter each as herein defined or a derivative or homologue thereof, a nucleotide sequence operably linked to said promoter and optionally a gene encoding a selectable marker.

- Another aspect of the present invention provides an isolated nucleic acid molecule comprising
10 a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof which is capable of constitutive expression in cells in which the promoter is non-indigenous.

- Yet another aspect of the present invention is directed to an isolated nucleic acid molecule
15 comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof, wherein said promoter, in its native form, directs expression in response to physical stimulation of a gene associated with ethylene production and which promoter in a non-native host cell is constitutively expressed.

- 20 Still yet another aspect of the present invention relates to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression in response to physical stimulation of a gene encoding ACC synthase and which promoter in a non-native host cell is constitutively expressed.

25

- A further aspect of the present invention provides an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase or another gene associated with ethylene biosynthesis and in
30 a cell in which the promoter is indigenous, the promoter is inducible by physical stimulation whereas in a cell in which the promoter is non-indigenous, the promoter is constitutively

expressed.

BRIEF DESCRIPTION OF THE FIGURES

5 **Figure 1** is a representation of the oligonucleotide primers used in Long Distance Inverse PCR.

Figure 2 is a diagrammatic representation showing generation of *Spe*I and *Xba*-I fragments of *AIM-1* promoter.

10 **Figure 3** is a diagrammatic representation of the *AIM-1* promoter sequencing strategy.

Figure 4 is a representation of the nucleotide sequence of the *AIM-1* (2470 bp) promoter.

Figure 5 is a diagrammatic representation of the construction of a full length *AIM-1* promoter.

15

Figure 6A(i) - 6A(xii) are diagrammatic representations of plasmids pPZP2.5GuNt, pPZP2.5LuNt, pPZP1.4GuNt, pPZP1.4LuNt, pPZP35SGuNt, pPZP35SLuNt, pP2P017GuNt, pPZP023GuNt, pPZP07GuNt, pPZP045GuNt, pPZP088GuNt and pPZP1.1GuNt, respectively.

20 **Figure 6B** is a diagrammatic representation of the backbone vector pPZP111.

Figure 6C is a diagrammatic representation of the vector pGuNt.

Figure 7 are photographic representations showing (A) and (B) transgenic tobacco lines
25 containing *AIM-1*:GUS gene assayed to visualise GUS activity; and (C) non-stained controls.

Figures 8(A) and (B) are graphical representations showing GUS activity in young tobacco plants, transformed with *AIM-1*:GUS and CaMV35S:GUS constructs. 2.5G#3-4 and 2.5G#7-3 are two independent transgenic lines containing full length *AIM-1* promoter fused to the GUS
30 gene; 35SG#5-2 is a transgenic line containing CaMV35S promoter fused to the GUS gene. (A) is GUS activity per/mg protein. (B) is GUS activity per/g of fresh weight. MU is equal to 4-

- 7 -

methyl-umbrelliferone.

Figure 9 is a photographic representation of Southern analysis of three T2 homozygous independent tobacco transgenic lines (3-4, 7-3 and 10-3) containing the *AIM-1* promoter fused to the GUS gene, and one T2 homozygous tobacco transgenic line (5-2) containing the CaMV 35S promoter fused to the GUS gene. Genomic DNA was digested with *Eco*RI (E) or *Bam*HI (B) restriction enzymes. A ³²P-labelled DNA fragment containing the full GUS gene and Nos terminator was used as a probe. Lane 1 contained size markers. Lanes 2 and 3: line 3-4; lanes 4 and 5: line 7-3; lanes 6 and 7: line 10-3; lane 8: line 5-2.

10

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

The present invention is predicated in part on the identification of a promoter directing expression of a gene. The gene encodes 1-aminocyclopropane-1-carboxylic acid synthase ("ACC synthase") and is inducible, in its native form, by physical stimuli (Botella *et al*, 1992; Botella *et al*, 1995). Referenced herein to "native form" with respect to a promoter means the promoter in cells in which the promoter is normally resident, i.e. indigenous. In the present case, cells for mung bean plants are cells in which the promoter is indigenous. Transfer of the promoter by genetic means to other plant cells is an example of cells carrying a non-indigenous promoter.

20

Accordingly, the present invention provides an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein, in its native form, the promoter is inducible in response to physical stimulation.

25

More particularly, the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof, wherein said promoter, in its native form, directs expression of a gene associated with ethylene production and inducible by physical stimulation.

30

Even more particularly, the present invention relates to an isolated nucleic acid molecule

- 8 -

comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase and inducible by physical stimulation.

5 In a related embodiment, the present invention relates to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase or another gene associated with ethylene biosynthesis and is inducible by physical stimulation.

10

Although the present invention is exemplified by the identification and isolation of the promoter directing synthesis of ACC synthase from *Vigna radiata* (mung bean), the present invention extends to any promoter which, in its native form, is inducible in response to physical stimulation and which comprises a nucleotide sequence having at least about 50% similarity to the nucleotide
15 sequence set forth in SEQ ID NO:1 and/or nucleotide sequence capable of hybridizing to the nucleotide sequence of SEQ ID NO:1 under low stringency conditions at 42°C.

Examples of promoters contemplated by the present invention include but are not limited to promoters directing expression of genes associated with ethylene biosynthesis such as the gene
20 encoding ACC synthase.

The gene encoding ACC synthase from mung bean is referred to as "*AIM-1*". ACC synthase from mung bean comprises the amino acid sequence substantially as set forth in SEQ ID NO:2.

25 Accordingly, another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding an ACC synthase having an amino acid sequence substantially as set forth in SEQ ID NO:2 or an amino acid sequence having at least 60%
30 similarity to SEQ ID NO:2.

The percentage similarity at the amino acid or nucleotide sequence level is generally to a portion comprising at least about 20 contiguous amino acids or at least about 60 contiguous nucleotide bases. Preferably, however, the comparison is made to the entire amino acid sequence or entire nucleotide sequence. Alternative percentage similarities include at least about 70%, at least
5 about 80%, at least about 90% and at least about 95% or above or discrete percentages there between.

Genes encoding ACC synthase enzymes not having 100% similarity to SEQ ID NO:2 include derivatives and homologous of the mung bean enzyme. A derivative includes parts, fragments,
10 mutants and fusions of the mung bean ACC synthase defined in SEQ ID NO:2 including ACC synthase enzymes having one or more amino acid substitutions, additions and/or deletions to the amino acid sequence of SEQ ID NO:2. Homologues include enzymes from closely or distantly related plants including fungi.

15 A particularly preferred promoter of the present invention directs expression of *AIM-1*. The nucleotide sequence of *AIM-1* is set forth in SEQ ID NO:1.

According to this embodiment, there is provided an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or
20 a derivative or homologue thereof wherein said promoter in its native form directs expression of a gene encoding ACC synthase and wherein said gene comprises a nucleotide sequence substantially as set forth in SEQ ID NO:1 or a sequence having at least 50% similarity thereto and/or a nucleotide sequence capable of hybridizing to SEQ ID NO:1 under low stringency conditions at 42°C.

25

Reference herein to a low stringency at 42°C includes and encompasses from at least about 1% v/v to at least about 15% v/v formamide and from at least about 1M to at least about 2M salt for hybridisation, and at least about 1M to at least about 2M salt for washing conditions. Alternative stringency conditions may be applied where necessary, such as medium stringency, which
30 includes and encompasses from at least about 16% v/v to at least about 30% v/v formamide and from at least about 0.5M to at least about 0.9M salt for hybridisation, and at least about 0.5M

- 10 -

to at least about 0.9M salt for washing conditions, or high stringency, which includes and encompasses from at least about 31% v/v to at least about 50% v/v formamide and from at least about 0.01M to at least about 0.15M salt for hybridisation, and at least about 0.01M to at least about 0.15M salt for washing conditions.

5

Alternative percentage similarities include those set forth above.

Nucleotide sequences not having 100% similarity to SEQ ID NO:1 include derivatives and homologues of mung bean *AIM-1*. A derivative includes, parts, fragments, mutants and fusions
10 of the mung bean *AIM-1* defined in SEQ ID NO:1 including *AIM-1* genes having one or more nucleotide substitutions, additions and/or deletions to the nucleotide sequence of SEQ ID NO:1. Homologues include genes from closely or distantly related plants including fungi.

The term "similarity" as used herein includes exact identity between compared sequences at the
15 nucleotide or amino acid level. Where there is non-identity at the nucleotide level, "similarity" includes differences between sequences which result in different amino acids that are nevertheless related to each other at the structural, functional, biochemical and/or conformational levels. Where there is non-identity at the amino acid level, "similarity" includes amino acids that are nevertheless related to each other at the structural, functional, biochemical and/or conformational
20 levels. The terms "homology" and "identity" may be used to substitute for "similarity".

Most preferably, the promoter of the present invention comprises a nucleotide sequence substantially as set forth in SEQ ID NO:3 or a functional derivative or homologue thereof.

25 Accordingly, another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter in its native form comprises a nucleotide sequence substantially as set forth in SEQ ID NO:3 or a nucleotide sequence having at least 25% similarity thereto or a nucleotide sequence capable of hybridizing
30 to SEQ ID NO:3 under low stringency conditions at 42°C.

- 11 -

The promoter of the present invention is useful in the development of genetic constructs to express heterologous nucleotide sequences placed downstream of, and operably linked to, the promoter.

5 The term "promoter" is used herein in its most general sense and refers to any nucleotide sequence which binds RNA polymerase and directs same to a transcriptional start site whereupon a gene or other nucleotide sequence downstream of said promoter is transcribed. A nucleotide sequence "downstream" of the promoter is also said to be "relative" to the promoter or "operably" linked to the promoter.

10

The term "genetic construct" is used in its broadest sense to include an isolated nucleic acid molecule comprising a sequence of nucleotides.

The genetic construct is conveniently engineered so as to include means to facilitate insertion of
15 a nucleotide sequence in a region 3' of the promoter to place the nucleotide sequence downstream of and operably linked to the promoter for their transcription. Such a "means" includes but is not limited to a restriction endonuclease-mediated insertion, homologous recombination, transposon insertion, PCR mediated insertion and random insertion. Preferably, the means is a restriction endonuclease site. Generally, the inserted restriction site is unique to
20 the genetic construct or may be represented, for example, twice but separated by a nucleic acid sequence which is deleted upon restriction digestion of the genetic construct. The required nucleotide sequence to be transcribed is then inserted into the deleted region.

The genetic construct of the present invention may comprise solely the promoter and optionally
25 a nucleotide sequence downstream thereof or, alternatively, may comprise additional nucleotide sequences constituting promoter regulatory region(s), transcribed sequence regulatory regions, a marker (eg. antibiotic resistance, chemical compound resistance or enzyme), autonomous replication region and/or genome integration sequence. The promoter may be the naturally occurring promoter or may be an active fragment or part thereof or a derivative, analogue or
30 homologue of the promoter.

- 12 -

Accordingly, another aspect of the present invention contemplates a genetic construct comprising a promoter or modular promoter each as herein defined or a derivative or homologue thereof, means to facilitate insertion of a nucleotide sequence operably linked to said promoter and optionally a gene encoding a selectable marker.

5

More particularly, this aspect provides a genetic construct comprising a promoter or modular promoter as herein defined or a derivative or homologue thereof, one or more unique restriction sites down stream of said promoter to enable the insertion of a heterologous nucleotide sequence operably linked to said promoter and a gene encoding a selectable marker.

10

In a related embodiment, the present invention provides a genetic construct comprising a promoter or modular promoter each as herein defined or a derivative or homologue thereof, a nucleotide sequence operably linked to said promoter and optionally a gene encoding a selectable marker.

15

The promoter of the present invention, in its native form (i.e. in cells in which it is indigenous), is inducible by physical stimulus which includes mechanical stress, movement, vibration, air pressure, water stress and the like. Other non-mechanical stimuli also induce the instant promoter including auxins, abscisic acid, salt concentration amongst others. Non-mechanical
20 stimuli include environmental stimuli such as but not limited to chemical induction of the promoter. The promoter may also be developmentally regulated and/or may be tissue or organ specific.

The identification of a promoter capable of induction by physical or mechanical stimuli provides
25 a particularly useful basis for developing a range of genetically altered plants. For example, air movement may be used to activate expression of a nucleotide sequence operably linked to the subject promoter. This may be useful during the commercial cultivation of large numbers of plants. Generating air movement such as generated by fanning, or a change in air pressure over and/or around the plants can be used to activate expression of the promoter. Alternatively, or
30 in addition, water droplets generated mechanically or by controlling humidity may be used to stimulate promoter activity. Heterologous nucleotide sequences operably linked to the promoter

- 13 -

are then expressed. Such heterologous sequences may encode, for example, resistance to insect or other pathogens, salt tolerance, enzymes which manipulate the flow of metabolites down particular biochemical pathways, enzymes which alter the nutritional content of certain types of plant tissues including seeds and other reproductive parts and antisense, co-suppression, 5 ribozyme or deoxyribozyme molecules to down regulate expression of an endogenous gene. Examples of the latter would be to render a plant male or female sterile, to alter biochemical pathways or to otherwise alter the characteristics of the target plant, such as to inhibit ethylene biosynthesis or to delay synthesesence.

10 Accordingly, another aspect of the present invention contemplates a method of altering a characteristic of a plant said method comprising introducing a genetic construct into a cell or group of cells of a plant, said genetic construct comprising a promoter as herein defined and a nucleotide sequence operably linked to said promoter and wherein said nucleotide sequence facilitates the altering of said plant characteristic, regenerating a plant or plantlet from said cell 15 or group of cells carrying said genetic construct and growing or subjecting said plant or plantlet to conditions sufficient to induce the promoter in said genetic construct.

The genetically altered plant may be subjected to physical stimulus such as mechanical stress in order to induce the promoter. Alternative forms of stimulus, however, are also contemplated 20 by the subject invention such as water droplets, air movement, air pressure and chemical stimuli such as auxins. The promoter may also be constitutively expressed.

An altered characteristic may be readily determined by comparing a transgenic plant with a non-transgenic plant of the same species. The comparison may be at the biochemical, physiological 25 or visual level. Altered characteristics include but are not limited to resistance to plant viruses, bacteria, fungi, nematodes and other pathogens, improved nutritional value (eg. using sunflower high sulphur gene), an expression of an "antibody" (often referred to as a "plantabody"), altered biochemical pathways, altered fertility, altered flower colour amongst many other characteristics.

30 The promoter of the present invention is inducible by a range of stimuli including physical, environmental, chemical and genetic. The promoter comprises, therefore, different regulatory

- 14 -

areas for different stimuli. The present invention contemplates the manipulation of the subject promoter such that it is inducible by a particular stimulus or stimuli.

Accordingly, another aspect of the present invention provides a modular promoter, said modular
5 promoter comprising at least one portion which is derived from a promoter which, in its native form, directs expression of a gene associated with ethylene biosynthesis and is inducible by physical stimulation.

More particularly, the present invention is directed to a modular promoter, said modular
10 promoter comprising at least one portion which is derived from a promoter which, in its native form, directs synthesis of an ACC synthase having an amino acid sequence substantially as set forth in SEQ ID NO:2 or an amino acid sequence having at least 60% similarity thereto.

Even more particularly, the present invention is directed to a modular promoter, said modular
15 promoter comprising at least one portion which is derived from a promoter which, in its native form, directs synthesis of an ACC synthase encoded by a gene comprising a nucleotide sequence substantially as set forth in SEQ ID NO:1 or a nucleotide sequence having at least 50% similarity thereto or a nucleotide sequence capable of hybridizing to SEQ ID NO:1 under low stringency conditions at 42°C.

20

Still more particularly, the present invention provides a modular promoter comprising a portion which is derived from a promoter which comprises, in its native form, a nucleotide sequence substantially as set forth in SEQ ID NO:3 or a nucleotide sequence having at least 25% similarity thereto or a nucleotide sequence capable of hybridizing to SEQ ID NO:3 under low stringency
25 conditions at 42°C.

A "modular" promoter is considered as an example of a "derivative". Another derivative contemplated by the present invention includes the deletion of negatively acting *cis* element(s). This aspect of the present invention is predicated on the observation of high expression of the
30 promoter in the presence of the protein synthesis inhibitor, cycloheximide, which inhibits production of a highly unstable, short-lived negative regulator (transcription factor) of the

- 15 -

subject promoter. Accordingly, by deleting the negative *cis* element(s), higher inducible or even constitutive expression of the promoter may be obtained.

Another aspect of the present invention contemplates an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof which is capable of constitutive expression in cells in which the promoter is non-indigenous.

This aspect of the present invention is predicated on the surprising observation that the promoter of the present invention, when placed in plant cells in which it is not indigenous, i.e. non-mung bean cells, is constitutively expressed. Although no intending to limit the present invention to any one theory or mode of action, it is proposed that in cells in which the promoter is indigenous, a negative regulatory molecule prevents constitutive expression of the promoter. This negative regulatory molecule would not normally be present in other plant cells and, hence, the promoter is constitutively expressed.

Accordingly, another aspect of the present invention provides an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof, wherein said promoter, in its native form, directs expression in response to physical stimulation of a gene associated with ethylene production and in which in a non-native host cell is constitutively expressed.

More particularly, a further aspect of the present invention is directed to an isolated nucleic acid molecule comprising a sequence of nucleotides or a complementary sequence of nucleotides defining a promoter or a derivative or homologue thereof wherein said promoter, in its native form, directs expression of a gene encoding ACC synthase or another gene associated with ethylene biosynthesis and in a cell in which the promoter is indigenous, the promoter is inducible by physical stimulation whereas in a cell in which the promoter is non-indigenous, the promoter is constitutively expressed.

- 16 -

The present invention further contemplates a transgenic plant carrying the promoter of the present invention or parts, limbs, flowers, petals, reproductive portions or seeds thereof or progeny or clone thereof.

5 The present invention is further described by the following non-limiting Examples.

EXAMPLE 1

Detection of mechanical strain-induced gene

10 A gene encoding 1-aminocyclopropane-1-carboxylic acid synthase ("ACC Synthase"), induced *inter alia* by mechanical strain, auxin and salt stress was isolated according to Botella *et al* (1992;1995). The cDNA sequence and corresponding amino acid sequence is shown in SEQ ID NO:1. The amino acid sequence alone is shown in SEQ ID NO:2.

15

EXAMPLE 2

Cloning of the ACC Synthase gene (*AIM-1*) promoter

(a) Recirculation of DNA

Ten micrograms of genomic DNA isolated by CsCl purification was digested with 2.5U/ μ g of
20 *Hind*III in the presence of 0.1M spermidine, extracted with 1 volume phenol:chloroform:isamyl alcohol (25:24:1) and precipitated by addition of 0.1 vol NaOAc and 2 volumes EtOH. DNA was then re-ligated with 9 Weiss units of T4 DNA ligase and purified using Bresatec's Bresa Clean Kit. The effectiveness of recircularisation was analyzed by gel electrophoresis.

25

(b) Long Distance Inverse Polymerase Chain Reaction (LDIPCR) procedure

A reaction mixture of 2mM MgSO₄ pH 9.1, containing 60mM Tris-SO₄, 18mM (NH₄)₂SO₄, 0.2mM of each dNTP, 0.2 μ M of NSE oligonucleotide primers (see Figure 1), sterile water and 300ng of recircularised genomic DNA was prepared in a total volume of 40 μ l. The
30 reaction mixture was vortexed and briefly spun prior to incubation at 94°C to prevent non-specific primer interactions. Before initialising the thermal cycle, 10 μ l of sterile water

containing 1 μ L of Life Technologies' eLONGase enzyme mix (TaqI/Vent polymerases) was added to the reaction and mixed by pipetting. An equal volume of mineral oil was layered over the mix to prevent evaporation. The optimised PCR parameters are shown in Table 1.

5

TABLE 1

PCR profile times and temperatures used during amplification and reamplification protocols.

10

Optimised Temperatures and Times				
Amplification	Initial Step	Denaturation	Anneal and Extension	
	60 sec. 94°C	30 sec. 94°C	480 sec. 68°C	
	45 cycles			
Reamplification	Initial Step	Denaturation	Anneal	Extension
	60 sec. 94°C	30 sec.	30 sec.	480 sec.
		94°C	62°C	68°C
		35 cycles		

After the final step of thermal cycling, 1 volume of chloroform-isoamyl alcohol (24:1) was added to remove the oil layer and the samples were stored at 4°C.

20 Cloning Strategy

The circularised genomic DNA was first amplified with oligonucleotide primers NSE-1 and NSE-2 (refer to Figure 1). The products of this first amplification were further reamplified using either NSE-3/NSE-4 or NSE-5/NSE-6 (Figure 1). Electrophoretic analysis of the amplification products, generated with both combinations of primers, revealed a DNA

25 fragment of approximately 4kb.

- 18 -

EXAMPLE 3

Analysis of 4kb fragment

5 The 4kb product obtained with NSE3/NSE-4 (Example 2) was excised from the gel and purified with glassmilk (Bresatec's Bresa Clean). As attempts at cloning the 4kb product were initially unsuccessful, alternative strategies were devised. The purified 4kb product was digested with *Xba*I and two fragments of 1.3 kb and 0.9 kb were sub-cloned into the vector pGEM11 (Promega corporation, USA), which had been previously digested with *Xba*I giving
10 the plasmids pGX1.3 and pGX0.9, respectively. The 4kb fragment was also digested with *Spe*I and blunt-ended before cloning the digestion products into pGEM11 (previously digested with *Xho*I and blunt-ended). As a result, two *Spe*I fragments of 1.1kb and 1.4kb were sub-cloned and the plasmids named pGS1.1 and pGS1.4, respectively. The 1.4kb fragment did not show any *Spe*I recognition sequences in one of its ends, indicating that some
15 exonuclease activity had taken place during the blunt-ending process. This is summarised in Figure 2.

EXAMPLE 4

Reconstruction and sequencing of the 2.5kb *AIM-1* promoter region

20

The sequencing strategy for the *AIM-1* promoter is shown in Figure 3. Sequencing was performed using the dideoxy chain termination method (Sanger *et al*, 1977) using a Applied Biosystems kit (Applied Biosystems, USA). Analysis of the sequences revealed that the four clones partially overlapped. The 1.3 *Xba*I and 1.1kb *Spe*I fragments contained the 5'
25 untranslated region of the *AIM-1* cDNA, confirming that this region is upstream of the *AIM-1* gene. As a result, a partial restriction map for a 2.5kb region of the 4kb DNA fragment was generated. The nucleotide sequence of the *AIM-1* promoter is shown in Figure 4 and in SEQ ID NO:3.

30 With this information in hand, the promoter region was reconstructed by the following strategy. pGS1.4 was digested with *Hind*III and blunt ended. The promoter insert was then

excised with *SpeI*, obtaining a 1.4kb fragment with blunt-*SpeI* ends.

pGS1.1 was linearised with *SaII* and blunt ended. Later the linearised construct was digested with *SpeI* resulting in a linearised vector with blunt-*SpeI* ends containing the 3' end of the promoter region. The fragment excised in (a) was ligated into (b) to reconstruct the 2.5kb *AIM-1* promoter. Figure 5 is a diagrammatic representation of the construction of the full length *AIM-1* promoter.

EXAMPLE 5

10

Characterization of *AIM-1* promoter

(a) Generation of deletion fragments and chimeric gene constructs

To fully characterise the *AIM-1* promoter, two different lengths of the promoter sequence were used: the entire 2.5kb sequence and a 1.4kb fragment upstream of the first ATG codon. β -Glucuronidase (*GUS*) and luciferase (*LUC*) reporter genes were each ligated to one or other of the promoter fragments and to the 3' terminator region from the *Agrobacterium tumefaciens* nopaline synthase gene (*NOS*) to generate a series of chimeric gene constructs.

A series of 7 deletions in the promoter region were also generated, starting from 170 base-pairs upstream of the first ATG codon. Each of these was likewise ligated to the *NOS* 3' terminator region and to the *GUS* reporter gene. Intermediate vectors containing each of the promoter fragments (0.17, 0.23, 0.45, 0.70, 0.88, 1.1, 1.4, 1.6 or 2.5kb) ligated to the *GUS* or *LUC* reporter genes and *NOST* were generated in pBluescript. For control purposes, additional constructs containing the cauliflower mosaic virus 35S promoter linked to either *GUS* or *LUC* were also prepared.

These chimeric constructs were then successfully ligated into the polylinker of the binary vector backbone pPZP111 (Hajdukiewicz *et al.*, 1994), for use in plant transformation. A range of these constructs, comprising the *AIM-1* promoter, is shown in Figures 6A(i) to 6A(xii). The backbone vector pPZP111 is shown in Figure 6B. The pGUNT vector is shown

in Figure 6C.

(b) Transformation and regeneration of tobacco

- 5 The characterisation of the *AIM-1* promoter was carried out using tobacco as the model plant system. Tobacco transformation was carried out as described by Svab *et al.* (1995). Multiple independent transgenic lines were generated with each of the binary constructs.

(c) Generation of T2 lines

10

T2 lines were generated from selected T1 lines by self-pollination. Tissue of young transgenic tobacco lines, containing the *AIM-1*:GUS gene construct, were histochemically assayed to visualise GUS activity. Very intense levels of histochemical stain indicate high levels of expression of the GUS gene in tissues of young plants (Figure 7).

15

(d) Quantitative analysis of *AIM-1* promoter

- To quantify levels of expression of the GUS gene under control of the *AIM-1* promoter and compare it to levels obtained using the CaMV35S promoter, quantitative analysis was carried out on two independent transgenic T2 tobacco lines (3-4 and 7-3) containing the *AIM-1*:GUS genetic construct and one transgenic T2 line (5-2) containing the 35S:GUS genetic construct. Assays were performed according to the method of Jefferson (1987) on different plant tissues including root, stem, petiole and first, second and third true leaves. The results indicated that constructs containing the *AIM-1* promoter drive levels of expression 2-5 fold higher than that obtained using the 35S promoter (Figure 8).
- 20
- 25

- 21 -

EXAMPLE 6

Southern Analysis of Transgenic T2 Tobacco lines

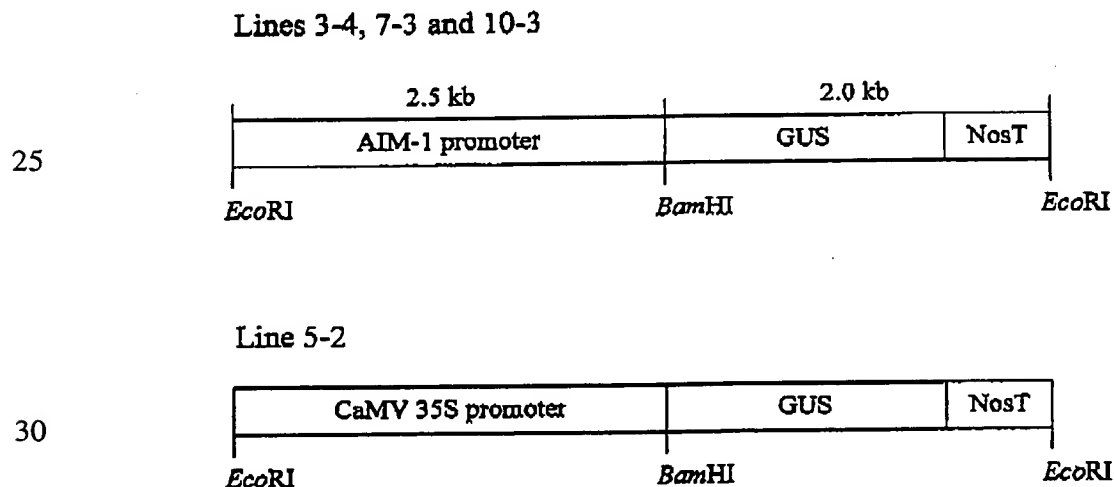
Genomic DNA (10 µg) was digested with *Eco*RI or *Bam*HI restriction enzymes; separated in an electrophoresis gel and transferred to a Hybond™ (Amersham) Nylon membrane. The membrane was prehybridised and hybridised at high stringency following standard procedures (Sambrook *et al.*). A DNA fragment containing the full GUS gene and Nos terminator was labelled with ³²P and used as a probe. After washing at high stringency the following results were observed:

10

a) The *Eco*RI lanes of lines 3-4, 7-3 and 10-3 show a single fragment of the expected 4.5kb size indicating the intactness of the *AIM-1*:GUS:NosT construct in each of the above mentioned lines (see construct diagram below).

15 b) The *Bam*HI lanes of lines 3-4, 7-3 and 10-3 show single fragments of different sizes (one fragment per line) indicating the existence of a single copy of GUS:NosT construct in each of the above mentioned lines.

c) The *Bam*HI lane of line 5-2 shows two bands indicating that the line contains two copies of the CaMV 35S:GUS:NosT portion of the construct.



- 22 -

These results are shown in Figure 9.

Those skilled in the art will appreciate that the invention described herein is susceptible to variations and modifications other than those specifically described. It is to be understood
5 that the invention includes all such variations and modifications. The invention also includes all of the steps, features, compositions and compounds referred to or indicated in this specification, individually or collectively, and any and all combinations of any two or more of said steps or features.

Bibliography

Botella, JR *et al. Plant Mol. Biol.* 20:425-436, 1992.

Botella, JR *et al. Proc. Natl. Acad. Sci. USA* 92:1595-1598, 1995.

Hajdukiewicz *et al. Plant Mol. Biol.* 25:989-994, 1994.

Jefferson, R.A. *Plant. Mol. Biol. Reporter* 5(4): 387-405, 1987.

Sambrook, *et al. Molecular Cloning: A Laboratory Manual* Cold Spring Harbor Laboratories, Cold Spring Harbor, New York, USA, 1989.

Sanger, F *et al. Proc. Natl. Acad. Sci. USA* 74: 5463-5467, 1977.

Selker, JML *et al. Dev. Biol.* 153:29-43, 1992.

Svab *et al. "Methods in Plant Molecule Biology: A Laboratory Course Manual"* pp55-77, Cold Spring Harbor Laboratory Press, NY, 1995.

- 24 -

SEQUENCE LISTING

(1) GENERAL INFORMATION:

- (i) APPLICANT: THE UNIVERSITY OF QUEENSLAND
- (ii) TITLE OF INVENTION: A NOVEL PLANT PROMOTER AND USES THEREFOR
- (iii) NUMBER OF SEQUENCES: 9
- (iv) CORRESPONDENCE ADDRESS:
 - (A) ADDRESSEE: DAVIES COLLISON CAVE
 - (B) STREET: 1 LITTLE COLLINS STREET
 - (C) CITY: MELBOURNE
 - (D) STATE: VICTORIA
 - (E) COUNTRY: AUSTRALIA
 - (F) ZIP: 3000
- (v) COMPUTER READABLE FORM:
 - (A) MEDIUM TYPE: Floppy disk
 - (B) COMPUTER: IBM PC compatible
 - (C) OPERATING SYSTEM: PC-DOS/MS-DOS
 - (D) SOFTWARE: PatentIn Release #1.0, Version #1.25
- (vi) CURRENT APPLICATION DATA:
 - (A) APPLICATION NUMBER: AUSTRALIAN PROVISIONAL
 - (B) FILING DATE: 31-AUG-1998
- (viii) ATTORNEY/AGENT INFORMATION:
 - (A) NAME: HUGHES, DR E JOHN L
 - (C) REFERENCE/DOCKET NUMBER: EJH/EK
- (ix) TELECOMMUNICATION INFORMATION:
 - (A) TELEPHONE: +61 3 9254 2777
 - (B) TELEFAX: +61 3 9254 2770
 - (C) TELEX: AA 31787

- 25 -

(2) INFORMATION FOR SEQ ID NO:1:

- (i) SEQUENCE CHARACTERISTICS:
 (A) LENGTH: 1923 base pairs
 (B) TYPE: nucleic acid
 (C) STRANDEDNESS: single
 (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

- (ix) FEATURE:
 (A) NAME/KEY: CDS
 (B) LOCATION: 88..1542

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:

ATCCTCTCTC CCACTTACTT CGATTTTCATC AATTCCAATA AACTCAACAC ACTTTTTTTAC	60
ACTCCACACT CTAACCACAT ACACCAT ATG GGT TTC AAG GCC ATG GAC CAA	111
Met Gly Phe Lys Ala Met Asp Gln	
1 5	
ACT CCC TTG TTG TCC AAG ATG GCT ATT GGG GAT GGA CAT GGC GAA TCA	159
Thr Pro Leu Leu Ser Lys Met Ala Ile Gly Asp Gly His Gly Glu Ser	
10 15 20	
TCC CCA TAC TTT GAT GGA TGG AAG GCT TAT GAT CAA AAC CCC TTT CAT	207
Ser Pro Tyr Phe Asp Gly Trp Lys Ala Tyr Asp Gln Asn Pro Phe His	
25 30 35 40	
CCC ACA GAT AAT CCT AAC GGT GTT ATG CAA ATG GGT CTT GCT GAG AAT	255
Pro Thr Asp Asn Pro Asn Gly Val Met Gln Met Gly Leu Ala Glu Asn	
45 50 55	
CAG CTT ACC TCT GAT TTG GTT GAA GAT TGG ATA CTG AAC AAC CCT GAA	303
Gln Leu Thr Ser Asp Leu Val Glu Asp Trp Ile Leu Asn Asn Pro Glu	
60 65 70	
GCC TCC ATT TGC ACT CCA GAA GGA ATA AAT GAT TTC AGG GCC ATA GCT	351
Ala Ser Ile Cys Thr Pro Glu Gly Ile Asn Asp Phe Arg Ala Ile Ala	
75 80 85	
AAC TTT CAG GAT TAT CAT GGT CTG GCC GAG TTC AGA AAT GCT GTG GCT	399
Asn Phe Gln Asp Tyr His Gly Leu Ala Glu Phe Arg Asn Ala Val Ala	
90 95 100	
AAA TTT ATG GCT AGA ACA AGG GGA AAC AGA ATC ACG TTT GAC CCT GAC	447
Lys Phe Met Ala Arg Thr Arg Gly Asn Arg Ile Thr Phe Asp Pro Asp	
105 110 115 120	
CGT ATT GTC ATG AGC GGT GGA GCC ACC GGA GCA CAC GAA GTC ACT GCC	495
Arg Ile Val Met Ser Gly Gly Ala Thr Gly Ala His Glu Val Thr Ala	
125 130 135	
TTT TGT TTG GCA GAT CCC GGC GAG GCA TTC TTA GTG CCC ATT CCC TAT	543
Phe Cys Leu Ala Asp Pro Gly Glu Ala Phe Leu Val Pro Ile Pro Tyr	
140 145 150	
TAT CCA GGC TTT GAC CGG GAT TTG AGG TGG AGA ACA GGA GTT AAA CTT	591
Tyr Pro Gly Phe Asp Arg Asp Leu Arg Trp Arg Thr Gly Val Lys Leu	
155 160 165	
GTT CCA GTT ATG TGC GAT AGC TCA AAT AAT TTC GTG TTG ACA AAG GAA	639
Val Pro Val Met Cys Asp Ser Ser Asn Asn Phe Val Leu Thr Lys Glu	
170 175 180	

- 26 -

GCA Ala 185	TTG Leu	GAA Glu	GAT Asp	GCC Ala	TAT Tyr 190	GAG Glu	AAA Lys	GCA Ala	AGA Arg	GAG Glu 195	GAT Asp	AAC Asn	ATC Ile	AGA Arg	GTA Val 200	687
AAG Lys	GGT Gly	TTA Leu	CTG Leu	ATC Ile 205	ACC Thr	AAT Asn	CCA Pro	TCA Ser	AAT Asn 210	CCA Pro	TTA Leu	GGC Gly	ACA Thr	ATC Ile 215	ATG Met	735
GAC Asp	AGA Arg	AAG Lys	ACA Thr 220	CTG Leu	AGA Arg	ACC Thr	GTG Val	GTG Val 225	AGC Ser	TTC Phe	ATC Ile	AAT Asn	GAG Glu 230	AAG Lys	CGT Arg	783
ATC Ile	CAC His	CTT Leu 235	GTA Val	TGT Cys	GAT Asp	GAA Glu	ATA Ile 240	TAT Tyr	GCT Ala	GCA Ala	ACA Thr	GTT Val 245	TTC Phe	AGC Ser	CAA Gln	831
CCC Pro 250	GGT Gly	TTC Phe	ATA Ile	AGC Ser	ATA Ile	GCT Ala 255	GAG Glu	ATA Ile	TTA Leu	GAG Glu 260	GAT Asp	GAA Glu	ACA Thr	GAC Asp	ATA Ile	879
GAG Glu 265	TGT Cys	GAC Asp	CGC Arg	AAC Asn	CTC Leu 270	GTA Val	CAC His	ATT Ile	GTT Val	TAT Tyr 275	AGT Ser	CTT Leu	TCA Ser	AAG Lys	GAC Asp 280	927
ATG Met	GGG Gly	TTC Phe	CCT Pro	GGC Gly 285	TTC Phe	AGA Arg	GTC Val	GGC Gly	ATC Ile 290	ATA Ile	TAC Tyr	TCT Ser	TAC Tyr	AAT Asn 295	GAT Asp	975
GCT Ala	GTG Val	GTT Val	AAT Asn 300	TGT Cys	GCA Ala	CGC Arg	AAA Lys	ATG Met 305	TCA Ser	AGC Ser	TTT Phe	GGA Gly	TTG Leu 310	GTG Val	TCA Ser	1023
ACA Thr	CAG Gln	ACT Thr 315	CAG Gln	TAT Tyr	CTT Leu	TTA Leu	GCA Ala 320	TCG Ser	ATG Met	CTA Leu	AAT Asn	GAT Asp 325	GAT Asp	GAG Glu	TTT Phe	1071
GTG Val 330	GAG Glu	AGG Arg	TTT Phe	CTG Leu	GCA Ala	GAG Glu 335	AGT Ser	GCA Ala	AAG Lys	AGG Arg	TTG Leu 340	GCT Ala	CAA Gln	AGG Arg	TTC Phe	1119
AGG Arg 345	GTT Val	TTC Phe	ACT Thr	GGG Gly	GGG Gly 350	TTG Leu	GCC Ala	AAA Lys	GTT Val	GGC Gly 355	ATA Ile	AAG Lys	TGC Cys	TTG Leu 360	CAA Gln	1167
AGC Ser	AAT Asn	GCT Ala	GGT Gly	CTA Leu 365	TTT Phe	GTG Val	TGG Trp	ATG Met	GAT Asp 370	TTA Leu	AGG Arg	CAA Gln	CTT Leu	CTC Leu 375	AAA Lys	1215
AAG Lys	CCA Pro	ACT Thr 380	TTC Phe	GAC Asp	TCT Ser	GAA Glu	ACG Thr	GAG Glu 385	CTT Leu	TGG Trp	AAA Lys	GTT Val	ATC Ile 390	ATT Ile	CAT His	1263
GAA Glu	GTT Val	AAG Lys 395	ATC Ile	AAT Asn	GTT Val	TCA Ser	CCT Pro 400	GGC Gly	TAT Tyr	TCC Ser	TTC Phe	CAT His 405	TGC Cys	ACT Thr	GAG Glu	1311
CCA Pro 410	GGG Gly	TGG Trp	TTT Phe	AGG Arg	GTG Val	TGC Cys 415	TAT Tyr	GCC Ala	AAC Asn	ATG Met 420	GAT Asp	GAT Asp	ATG Met	GCT Ala	GTG Val	1359
CAA Gln 425	ATT Ile	GCT Ala	TTG Leu	CAA Gln	CGA Arg 430	ATC Ile	CGC Arg	AAC Asn	TTT Phe 435	GTG Val	CTT Leu	CAA Gln	AAC Asn	AAG Lys	GAG Glu 440	1407
GTC Val	GTG Val	GTG Val	TCT Ser	AAT Asn 445	AAG Lys	AAA Lys	CAT His	TGT Cys	TGG Trp 450	CAC His	AGT Ser	AAC Asn	TTG Leu	AGG Arg 455	CTG Leu	1455

- 27 -

AGC CTC AAA ACC AGA AGG TTT GAT GAT ATC ACC ATG TCA CCT CAC TCT	1503
Ser Leu Lys Thr Arg Arg Phe Asp Asp Ile Thr Met Ser Pro His Ser	
460 465 470	
CCC CTA CCT CAG TCA CCT ATG GTT AAA GCC ACA AAT TGAGTTTGCA	1549
Pro Leu Pro Gln Ser Pro Met Val Lys Ala Thr Asn	
475 480 485	
TATTCCTCTG AATCGTTTAG AAGAAGTAAC TGATATGTGA AGATTACTTG GTTCTTTTAT	1609
TTGTTATTTT GAGAAGGTAC ATAAGTGCTG GATTGTCTTCT TTGGAACAGC AATAACAGGA	1669
AATTCCTGAT GTTGTTTTGT GATCGGCATC ACAATCCAGT GTCCTACAAG TTGTGCTGCT	1729
TCATGCACGC CCCTTCAATC TTAGGGGCAT TTTTCTTTT TCACTTACC AAAGGTTCAA	1789
GGTGAAAAAA GTTTATAGAG TCTGTAATGT TATTGGTTTA TCAGAAGAGT CCAAAGATG	1849
TCTGTAATCT GCTACTGAAA TTGTAACTTT CAATTATGAA TAAATTGTTA ATAAAGGTCT	1909
TCAAATTCAT TTCC	1923

(2) INFORMATION FOR SEQ ID NO:2:

(i) SEQUENCE CHARACTERISTICS:

- (A) LENGTH: 484 amino acids
- (B) TYPE: amino acid
- (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: protein

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:2:

Met Gly Phe Lys Ala Met Asp Gln Thr Pro Leu Leu Ser Lys Met Ala	
1 5 10 15	
Ile Gly Asp Gly His Gly Glu Ser Ser Pro Tyr Phe Asp Gly Trp Lys	
20 25 30	
Ala Tyr Asp Gln Asn Pro Phe His Pro Thr Asp Asn Pro Asn Gly Val	
35 40 45	
Met Gln Met Gly Leu Ala Glu Asn Gln Leu Thr Ser Asp Leu Val Glu	
50 55 60	
Asp Trp Ile Leu Asn Asn Pro Glu Ala Ser Ile Cys Thr Pro Glu Gly	
65 70 75 80	
Ile Asn Asp Phe Arg Ala Ile Ala Asn Phe Gln Asp Tyr His Gly Leu	
85 90 95	
Ala Glu Phe Arg Asn Ala Val Ala Lys Phe Met Ala Arg Thr Arg Gly	
100 105 110	
Asn Arg Ile Thr Phe Asp Pro Asp Arg Ile Val Met Ser Gly Gly Ala	
115 120 125	
Thr Gly Ala His Glu Val Thr Ala Phe Cys Leu Ala Asp Pro Gly Glu	
130 135 140	
Ala Phe Leu Val Pro Ile Pro Tyr Tyr Pro Gly Phe Asp Arg Asp Leu	
145 150 155 160	
Arg Trp Arg Thr Gly Val Lys Leu Val Pro Val Met Cys Asp Ser Ser	
165 170 175	

- 28 -

Asn Asn Phe Val Leu Thr Lys Glu Ala Leu Glu Asp Ala Tyr Glu Lys
 180 185 190
 Ala Arg Glu Asp Asn Ile Arg Val Lys Gly Leu Leu Ile Thr Asn Pro
 195 200 205
 Ser Asn Pro Leu Gly Thr Ile Met Asp Arg Lys Thr Leu Arg Thr Val
 210 215 220
 Val Ser Phe Ile Asn Glu Lys Arg Ile His Leu Val Cys Asp Glu Ile
 225 230 235 240
 Tyr Ala Ala Thr Val Phe Ser Gln Pro Gly Phe Ile Ser Ile Ala Glu
 245 250 255
 Ile Leu Glu Asp Glu Thr Asp Ile Glu Cys Asp Arg Asn Leu Val His
 260 265 270
 Ile Val Tyr Ser Leu Ser Lys Asp Met Gly Phe Pro Gly Phe Arg Val
 275 280 285
 Gly Ile Ile Tyr Ser Tyr Asn Asp Ala Val Val Asn Cys Ala Arg Lys
 290 295 300
 Met Ser Ser Phe Gly Leu Val Ser Thr Gln Thr Gln Tyr Leu Leu Ala
 305 310 315 320
 Ser Met Leu Asn Asp Asp Glu Phe Val Glu Arg Phe Leu Ala Glu Ser
 325 330 335
 Ala Lys Arg Leu Ala Gln Arg Phe Arg Val Phe Thr Gly Gly Leu Ala
 340 345 350
 Lys Val Gly Ile Lys Cys Leu Gln Ser Asn Ala Gly Leu Phe Val Trp
 355 360 365
 Met Asp Leu Arg Gln Leu Leu Lys Lys Pro Thr Phe Asp Ser Glu Thr
 370 375 380
 Glu Leu Trp Lys Val Ile Ile His Glu Val Lys Ile Asn Val Ser Pro
 385 390 395 400
 Gly Tyr Ser Phe His Cys Thr Glu Pro Gly Trp Phe Arg Val Cys Tyr
 405 410 415
 Ala Asn Met Asp Asp Met Ala Val Gln Ile Ala Leu Gln Arg Ile Arg
 420 425 430
 Asn Phe Val Leu Gln Asn Lys Glu Val Val Val Ser Asn Lys Lys His
 435 440 445
 Cys Trp His Ser Asn Leu Arg Leu Ser Leu Lys Thr Arg Arg Phe Asp
 450 455 460
 Asp Ile Thr Met Ser Pro His Ser Pro Leu Pro Gln Ser Pro Met Val
 465 470 475 480
 Lys Ala Thr Asn

- 29 -

2) INFORMATION FOR SEQ ID NO:3:

- (i) SEQUENCE CHARACTERISTICS:
 (A) LENGTH: 2474 base pairs
 (B) TYPE: nucleic acid
 (C) STRANDEDNESS: single
 (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:3:

TTACAGATAC	ACAGAATCAG	ACGACACATC	TACTTTAATA	ACAGAAAAAT	AATAAGTGTC	60
GGAGATTATG	GTACGACAAG	ATGAAATGTT	TTTATATGGT	TGAGATTATT	TTGGTCTGTT	120
GTTGGAAGTT	TCACGAATCA	TGATTTTGAT	TTTACGTATT	AAAAAATGAA	AAGTTGAATC	180
ATGCATTTTA	TCTAGAAGCT	GGGAAGTGAA	CCAAAAAAT	AGCCAGTTGA	ACAACTGCAG	240
TATTTGTAGG	CGTATTCATT	TCTCCTTTCC	TACAATAATC	CTTGCTTGCT	CTTTATCGGA	300
AAAAAACCAA	AAGCAATAGC	TACTCTGTAA	GGTCCTCGAT	TGCCGACAAG	AACATCACAT	360
GCGTGCTGTC	GAAGAACACA	TAATTTTGAG	GTTGAAGCTC	ACGTGCGAGT	TTTGCATATT	420
TTTAGGTTAT	GTGTACACGT	ATGGAGTGAG	TTCCGCGTAT	ATAGTGTAGG	TAGTTGAGTG	480
GCTGAGTAGC	GAGTGAATCA	GGTAACACTA	TCTTTTCAAG	CCACCTAATT	AAGGGATTTA	540
ATGTTTCATGC	AACTGTTCTT	CGCTAACTAA	GGCCCCACTT	ACCTTTATAA	TATTCTCTCT	600
AACTCCGGGC	TTTTGGTAAG	TACAACCTTT	CTACTCTTAT	TTAATGGAGG	GATTATTTTTT	660
TCCATATACC	AATTAATTTA	TTTTTTAATT	TATGCATTTT	GATCTTATAT	TAAAACAATT	720
ATGGTATGGA	TTAAGTCGTA	TATCGGTGAC	AATTGAAGTT	TTCTCAAGT	TTAGCCATTT	780
TTATGAAATT	AACTTAATC	ACTACTATTA	GGTAAATTCA	TATGTATCAT	TAACAATTTT	840
AATGTGAGTT	CAATTTTACC	CAAGATTTGA	AAGTTGTTGT	CAACTTCTGT	TAACTAAAGT	900
TGTATTATAA	GGTTGACGAC	TTTAACCTAA	ATCTATTTTG	AATTGAAGGG	GTTGATGACT	960
TCAGCTTTAA	AATAATTCAA	CTAAAGTTCT	AGACTACATT	GGAGATTTTA	GTGTTCATAA	1020
AATTTTAGAA	AAAGGCTGAG	TTAAAGTTAT	GAAAAAGATT	GGTGACTATT	CAATTAATTA	1080
GTTGTGAATT	GATGACAAAT	ATTTTCATGAG	CATAACCAAT	CAGAGAAATA	CCACCTCGAC	1140
CGACTACAAC	AATCTCAATG	TTAATTAATG	AAGCATTGTA	GTATAAGGAG	TCTAGAATAA	1200
ATTTCTTAAA	TATTAGAGGA	AACTATTTT	TAAAAAATTA	CAAGAAAAGT	TTGATCTATA	1260
ACCTCTTTAA	ACTTTAAATT	ATCTAACAAT	TTTCTTATGA	CTCACATTGT	GTTGATAGGG	1320
TGATTTTGTC	AAAATATATG	TCTATTTTAT	ACTAGTATGA	TTTGTCTGCG	AATTATATAT	1380
AGTATTAACT	TGGAGAAATG	ATTGCCTAAT	AAGTTATAAA	AAAGGAGAAA	ATATTTATTC	1440
ATAAAAAAAA	TACACTTAAA	TAAGTAACAA	TAATAAAAAA	CATTATATAA	GAGATTAAAG	1500
TAATTTAATA	AGTATTGAAT	GTAGAATAAT	TTTTATTTAT	AAATTTGAAC	TAAAATATTC	1560
AAATAATATT	CAAAGTAAAT	AATAGATATA	ATTCATCATT	CAATACGAGT	AATTCAATCT	1620

- 30 -

ATTATAATCA TATATTAGAT AAATATACAA ATATTTGTGA AATTTTACAT TATTATATTA	1680
CTAAATATAT ATTAATTTCT TTGAATATCT TTTATACAAG TAGGTAGACT AGAAGAATTA	1740
TCTTATCTCC CGTATATTTG TAGATGTAA ATGTAACGGG CTTAGACTGA TGTTTTTGTA	1800
TTATATTATT TATAAATCCA TTAGAGATTT AAGTTAATGT CTCTCTTTGA TTTTAACATG	1860
GTTCTAAAAA TTAGGTTTAA TCATTGCGTC CTCAATGAAC CCATGCTATA TGTTTTAAAG	1920
TTTTTTGTTT TTTGACAATG TTTTTTATTT CTGAGATTGC TCTTAGGATT GAAATTATGT	1980
TTGATACTAG AAAACGAAGA AGTAGAGAGT AGTGTATACA CGTGTAAGAA ATAATAGTTG	2040
TGGGAACCTA AGTTGGATTT GAATACTAGG ACGAGGCTGG AAGGGTTTCC ACTAAGTTGA	2100
CAAAAATTAT TACAAGTGGC AACTAGCTAG GTCTCACAAA GTATTACTAA TTAATAGTGG	2160
GTCTGTCTGC ATACCAACTC TTGCCTAATT TTCAAACACC GCATTCTCTC TTCTTCTCTC	2220
CTTCTTCCTC TGGAAACTTC ATCGATGTGG ACTTCTGTCT CTCAAAAGTC AAGCTCAATT	2280
TATCCAATGC ATTATAAATA CACACTCTCC CTCCCTTCTA TTCTTCATTG CATCACATTT	2340
CCTCTATAAA TTAATCACAC CTTATTCCTA ACTTCATTTT AACATCCTCT CTCCCACTTA	2400
CTTCGATTTT ATCAATTCCA ATAAACTCAA CACACTTTTT TAACTCCAC ACTCTAACCA	2460
CATACACCAT ATGG	2474

(2) INFORMATION FOR SEQ ID NO:4:

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 29 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:4:

GCGGATCCAT CTTGGACAAC AAGGGAGTT

29

- 31 -

2) INFORMATION FOR SEQ ID NO:5:

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 30 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:5:

TAGGATCCAG AAAGACACTG AGAACCGTGG

30

(2) INFORMATION FOR SEQ ID NO:6:

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 29 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:6:

ACGGATCCGG TGTATGTGGT TAGAGTGTG

29

(2) INFORMATION FOR SEQ ID NO:7:

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 29 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:7:

CAGGATCCAG ACATAGAGTG TGACCGCAA

29

(2) INFORMATION FOR SEQ ID NO:8

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 59 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:8

ATCGATCATA TGAGCTCTAG ACCCGGGCTG CAGGATCCGG TGTATGTGGT TAGAGTGTG

59

- 32 -

(2) INFORMATION FOR SEQ ID NO:9

- (i) SEQUENCE CHARACTERISTICS:
 - (A) LENGTH: 57 base pairs
 - (B) TYPE: nucleic acid
 - (C) STRANDEDNESS: single
 - (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:9

CCGCGGAGAT CTATCGATCT CGAGAATTCA AGCTTCAGAC ATAGAGTGTG ACCGCAA

57

DATED this 31st day of August, 1998

THE UNIVERSITY OF QUEENSLAND

by Its Patent Attorneys

DAVIES COLLISON CAVE

AIM-1 OLIGONUCLEOTIDES

- Oligonucleotide primers used during Long Distance Inverse PCR
- Oligo's bind to regions of AIM-1 (Mungbean ACC Synthase).

NSE-1

5' -GCGGAT[↓]CCATCTTGGACAACAAGGGAGTT- 3'
29'omer
T_m = 68

NSE-2

5' -TAGGATC[↓]CAGAAAGACACTGAGAACCGTGG- 3'
30'omer
T_m = 70

NSE-3

5' -ACGGATCC[↓]GGTGTATGTGGTTAGAGTGTG- 3'
29'omer
T_m = 62

NSE-4

5' -CAGGATC[↓]CAGACATAGAGTGTGACCGCAA- 3'
29'omer
T_m = 66

NSE-5

5' -ATCGATCATATGAGCTCTAGACCCGGGCTGCAGGATCC[↓]GGTGTATGTGGTTAGAGTGTG- 3'
59'omer
T_m = 62

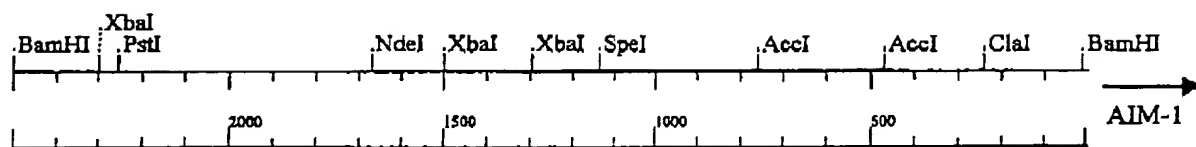
note: NSE-5 is identical to NSE-3 except different restriction enzyme sites have been incorporated (ie. 5'-Cla I, Nde I, Sac I, Xba I, Sma I, Pst I & Bam HI-3')

NSE-6

5' -CCGCGGAGATCTATCGATCTCGAGAATTCAAGCTT[↓]CAGACATAGAGTGTGACCGCAA-3'
57'omer
T_m = 66

note: NSE-6 is identical to NSE-4 except different restriction enzyme sites have been incorporated (ie. 5'-Sac II, Bgl II, Cla I, Xho I, Eco RI, & Hind III-3')

FIGURE 1



(2,483 bp)

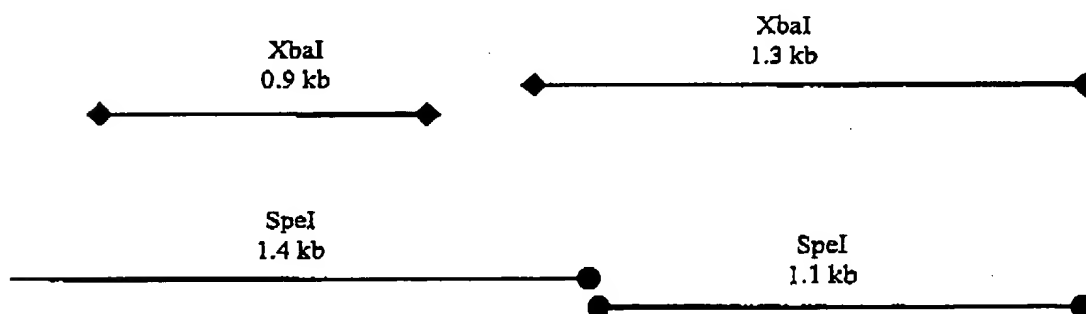


FIGURE 2

AIM-1 2.5Kb promoter sequencing strategy:

All fragments

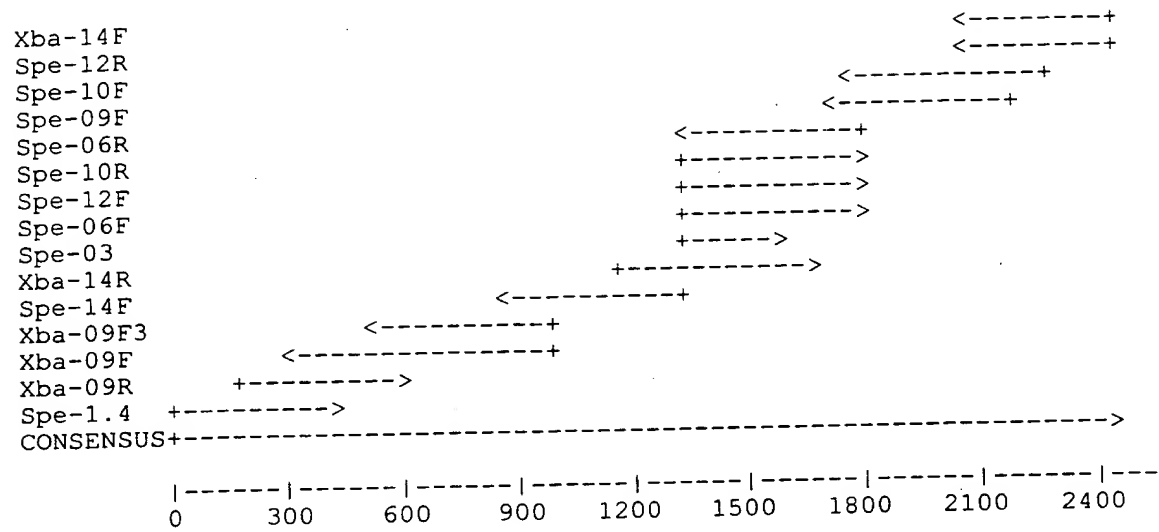


FIGURE 3

IM-1 2.5Kb Promoter Fragment

Length: 2470

```

1   TTACAGATAC ACAGAATCAG ACGACACATC TACTTTAATA ACAGAAAAAT
51  AATAAGTGTC GGAGATTATG GTACGACAAG ATGAAATGTT TTTATATGGT
101 TGAGATTATT TTGGTCTGTT GTTGGAAGTT TCACGAATCA TGATTTTGAT
151 TTTACGTATT AAAAAATGAA AAGTTGAATC ATGCATTTTA TCTAGAAGCT
201 GGGAAC TGAA CCAAAAAAAT AGCCAGTTGA ACAACTGCAG TATTTGTAGG
251 CGTATTCATT TCTCCTTTCC TACAATAATC CTTGGTTGCT CTTTATCGGA
301 AAAAAACCAA AAGCAATAGC TACTCTGTAA GGTCCTCGAT TGCCGACAAG
351 AACATCACAT GCGTGCTGTC GAAGAACACA TAATTTTGAG GTTGAAGCTC
401 ACGTGCGAGT TTTGCATATT TTTAGGTTAT GTGTACACGT ATGGAGTGAG
451 TTCCGCGTAT ATAGTG TAGG TAGTTGAGTG GCTGAGTAGC GAGTGAATCA
501 GGTAACACTA TCTTTTCAAG CCACCTAATT AAGGGATTTA ATGTTTCATGC
551 AACTGTTCTT CGCTAACTAA GGCCCCACTT ACCTTTATAA TATTCTCTCT
601 AACTCCGGGC TTTTGGTAAG TACAACTTTT CTA CTCTTAT TTAATGGAGG
651 GATTATTTTT TCCATATACC AATTAATTTA TTTTTTAATT TATGCATTTT
701 GATCTTATAT TAAAACAATT ATGGTATGGA TTAAGTCGTA TATCGGTGAC
751 AATTGAAGTT TTCCTCAAGT TTAGCCATTT TTATGAAATT AACTTAATC
801 ACTACTATTA GGTA AATTCA TATGTATCAT TAACAATTTT AATGTGAGTT
851 CAATTTTACC CAAGATTGTA AAGTTGTTGT CAACTTCTGT TAACTAAAGT
901 TGTATTATAA GGTGACGAC TTTAACCTAA ATCTATTTTG AATTGAAGGG
951 GTTGATGACT TCAGCTTTAA AATAATTCAA CTAAAGTTCT AGACTACATT
1001 GGAGATTTTA GTGTT CATAA AATTTTAGAA AAAGGCTGAG TTAAAGTTAT
1051 GAAAAAGATT GGTGACTATT CAATTAATTA GTTGTGAATT GATGACAAAT
1101 ATTTCATGAG CATAACCAAT CAGAGAAATA CCACCTCGAC CGACTACAAC
1151 AATCTCAATG TTAATTAATG AAGCATTGTA GTATAAGGAG TCTAGAATAA
1201 ATTTCTTAAA TATTAGAGGA AACTATTTT TAAAAAATTA CAAGAAAAGT
1251 TTGATCTATA ACCTCTTTAA ACTTTAAATT ATCTAACAAT TTTCTTATGA

```

FIGURE 4

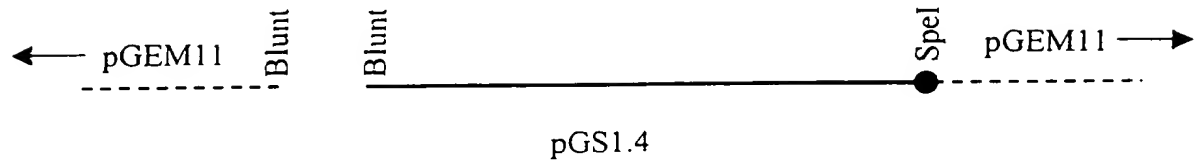
1301 CTCACATTGT GTTGATAGGG TGATTTTGTC AAAA ATG TCTATTTTAT
 1351 ACTAGTATGA TTTGTCTGCG AATTATATAT AGTATTAACT TGGAGAAATG
 1401 ATTGCCCTAAT AAGTTATAAA AAAGGAGAAA ATATTTATTC ATAAAAAAAA
 1451 TACACTTAAA TAAGTAACAA TAATAAAAAA CATTATATAA GAGATTAAGA
 1501 TAATTTAATA AGTATTGAAT GTAGAATAAT TTTTATTTAT AAATTTGAAC
 1551 TAAAATATTC AAATAATATT CAAAGTAAAT AATAGATATA ATTCATCATT
 1601 CAATACGAGT AATTCAATCT ATTATAATCC ATATATTAGA TAAATATACA
 1651 AATATTTGTT AAATTTTACA TTATTATATT ACTAAATATA TATTAATTTT
 1701 CTTTGAATAT CTTTATACA AGTAGGTAGA CTAGAAGAAT TATCTTATCT
 1751 CCCGTATATT TGTAGATGTT AAATGTAACG GGCTTAGACT GATGTTTTTG
 1801 TATTATATTA TTTATAAATC CATTAGAGAT TTAAGTTAAT GTCTCTCTTT
 1851 GATTTTAAAC ATGGTCTAAA AATTAGGTTT AATCATTGCG TCCTCAATGA
 1901 ACCCATGCTA TATGTTTTAA AGTTTTTTGT TTTTGACAA TGTTTTTTAT
 1951 TTCTGAGATT GCTCTTAGGA TTGAAATTAT GTTTGATACT AGAAAACGAA
 2001 GAAGTAGAGA GTAGTGATA CACGTGTAAA AAATAATAGT TGTGGGAACT
 2051 TAAGTTGGAT TTGAATACTA GGACGAGGCT GGAAGGGTTT CCACTAAGTT
 2101 GACAAAAATT ATTACAAGTG GCAACTAGCT AGGTCTCACA AAGTATTACT
 2151 AATTAATAGT GGGTCTGTCT GCATACCAAC TCTTGCCTAA TTTTCAAACA
 2201 CCGCATTCTC TCTTCTTCTC TCCTTCTTCC TCTGGAAACT TCATCGATGT
 2251 GGACTTCTGT CTCTCAAAG TCAAGCTCAA TTTATCCAAT GCATTATAAA
 2301 TACACACTCT CCCTCCCTTC TATTCTTCAT TGCATCACAT TTCCTCTATA
 2351 AATTACTCAC ACCTTATTCC TAACTTCATT TCAACATCCT CTCTCCCACT
 2401 TACTTCGATT TCATCAATTC CAATAAACTC AACACACTTT TTTACACTCC
 2451 AACTCTAAC CACATACACC

FIGURE 4 c ntinued

Recombination of 2.5 kb AIM-1 promoter

(a)

1. Cut HindIII and blunt end pGS1.4

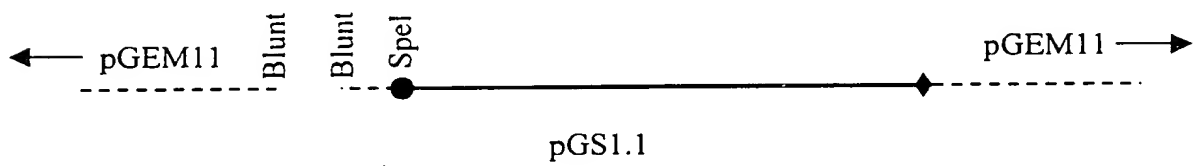


2. Cut SpeI

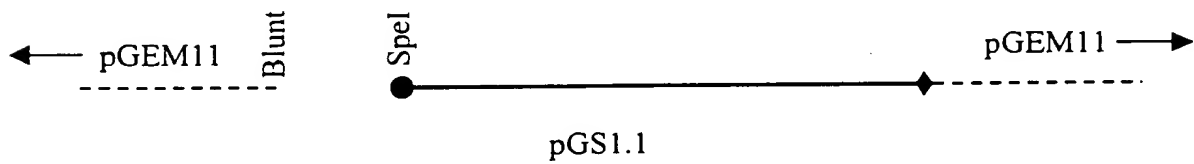


(b)

1. Cut Sall and blunt end pGS1.1



2. Digest with SpeI



(c) Ligate (a) into (b)

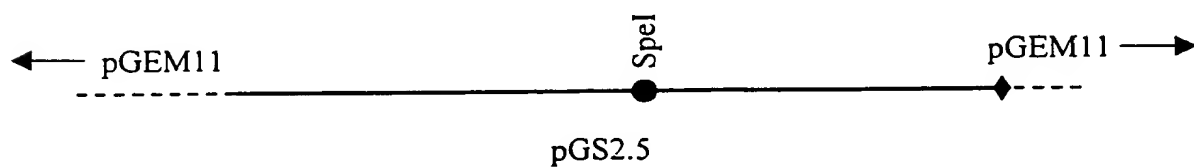


FIGURE 5

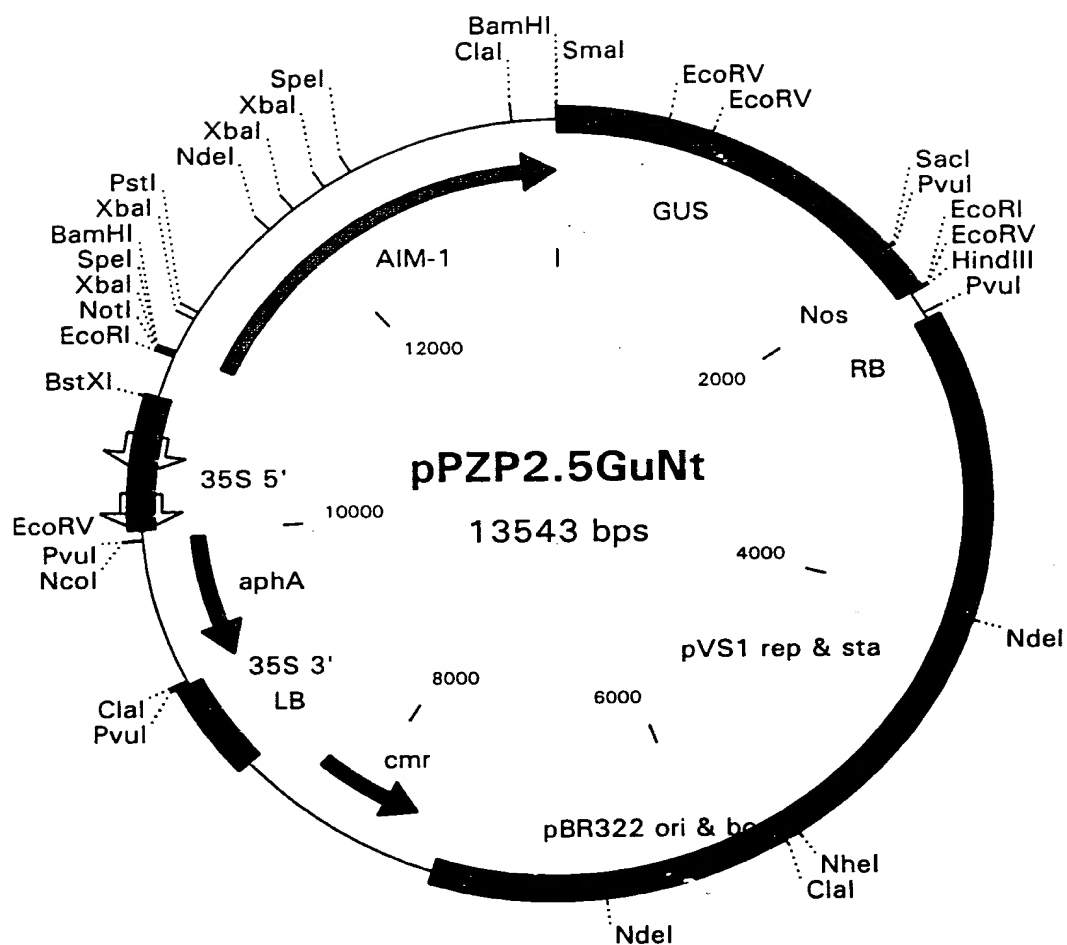


FIGURE 6A(i)

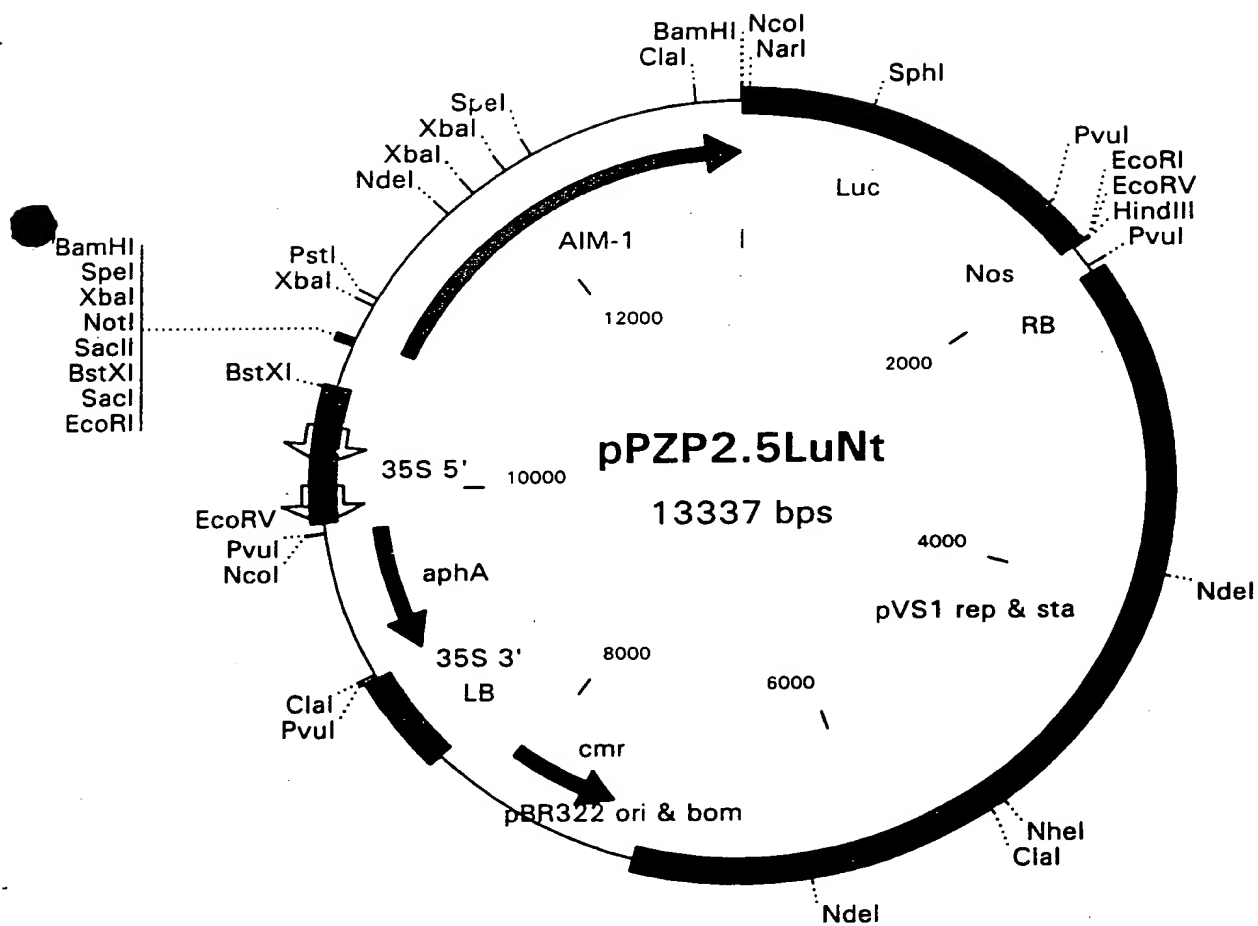


FIGURE 6A(ii)

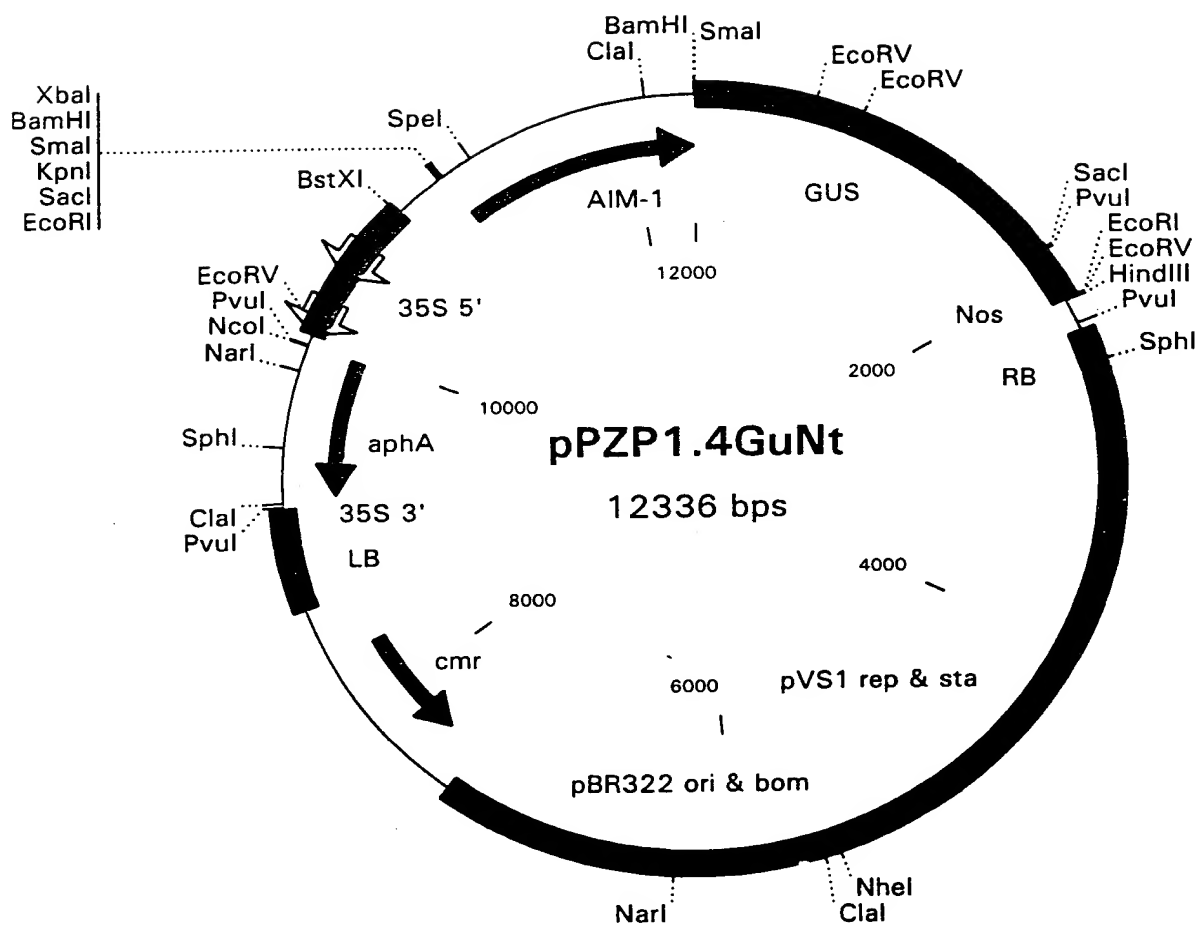


FIGURE 6A(iii)

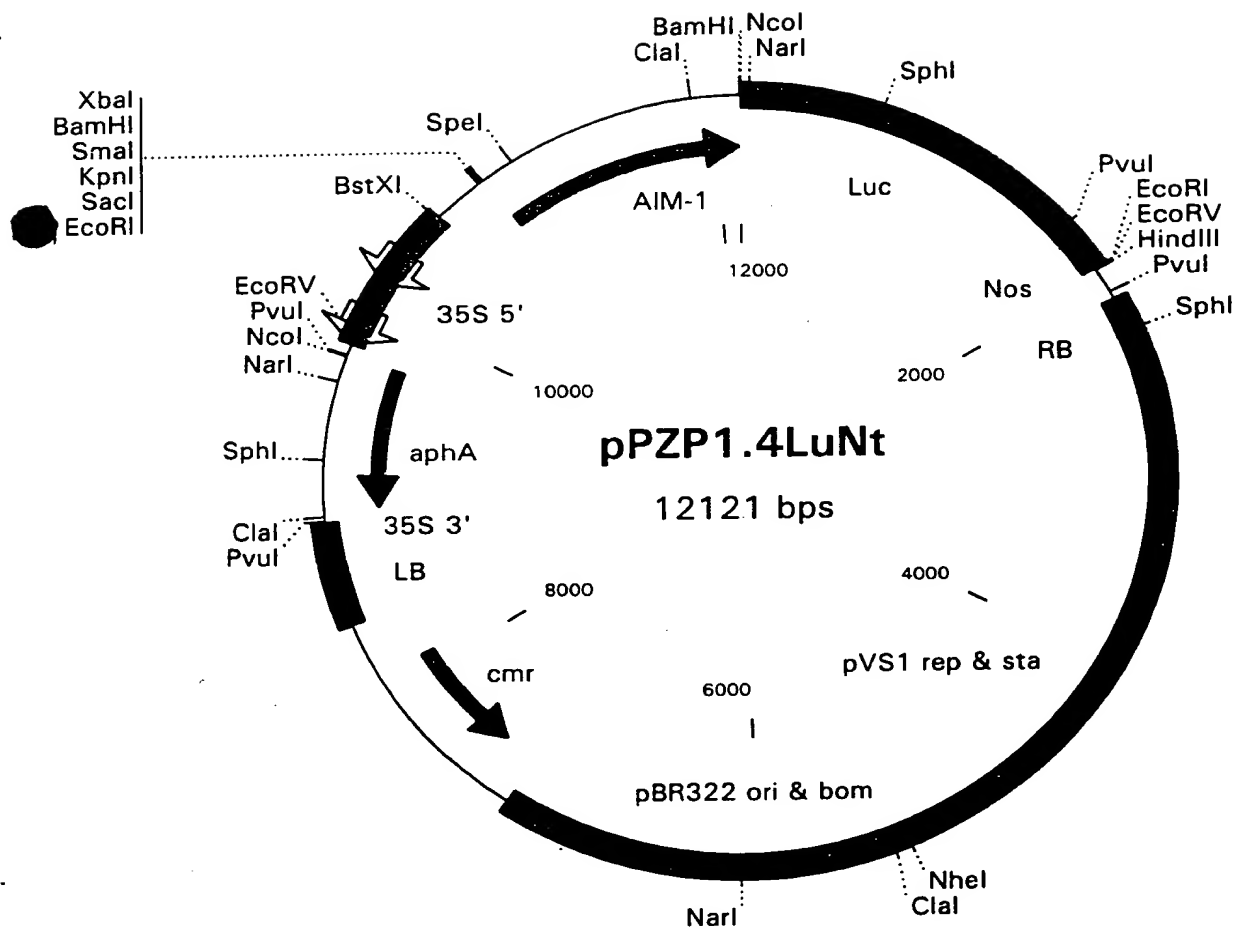


FIGURE 6A(iv)

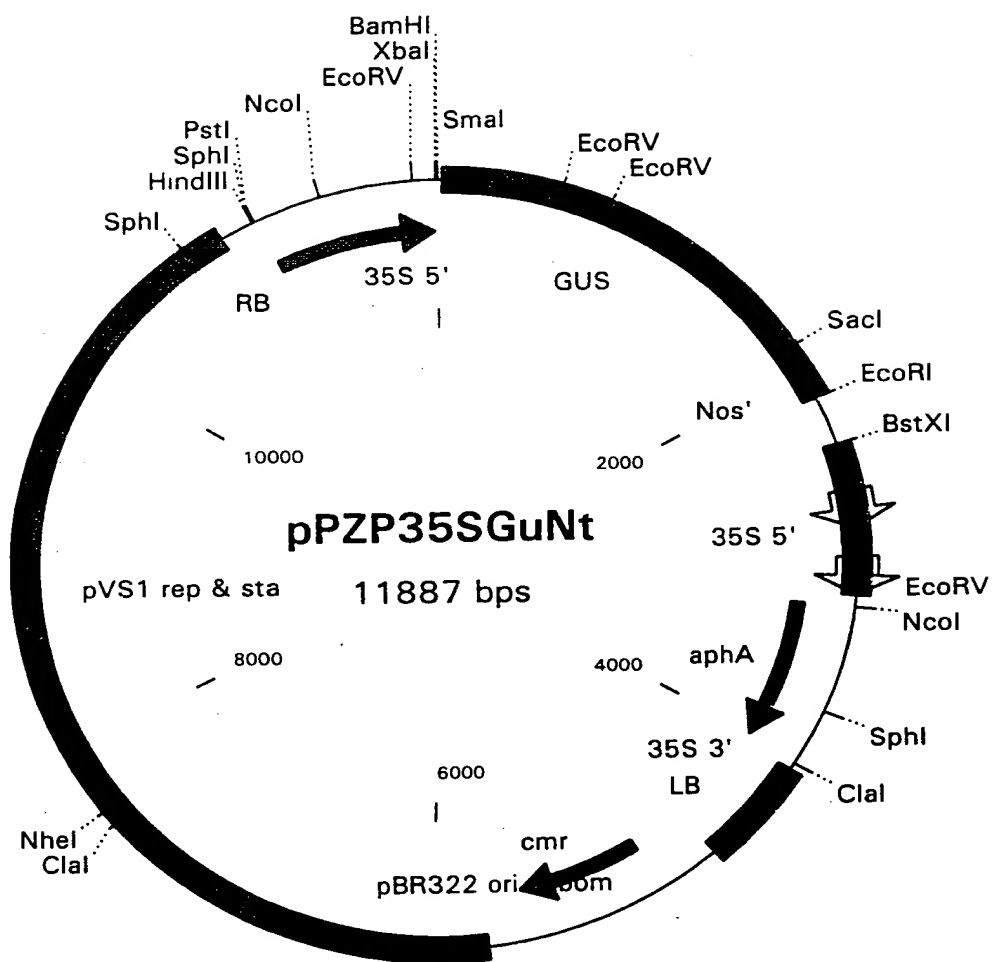


FIGURE 6A(v)

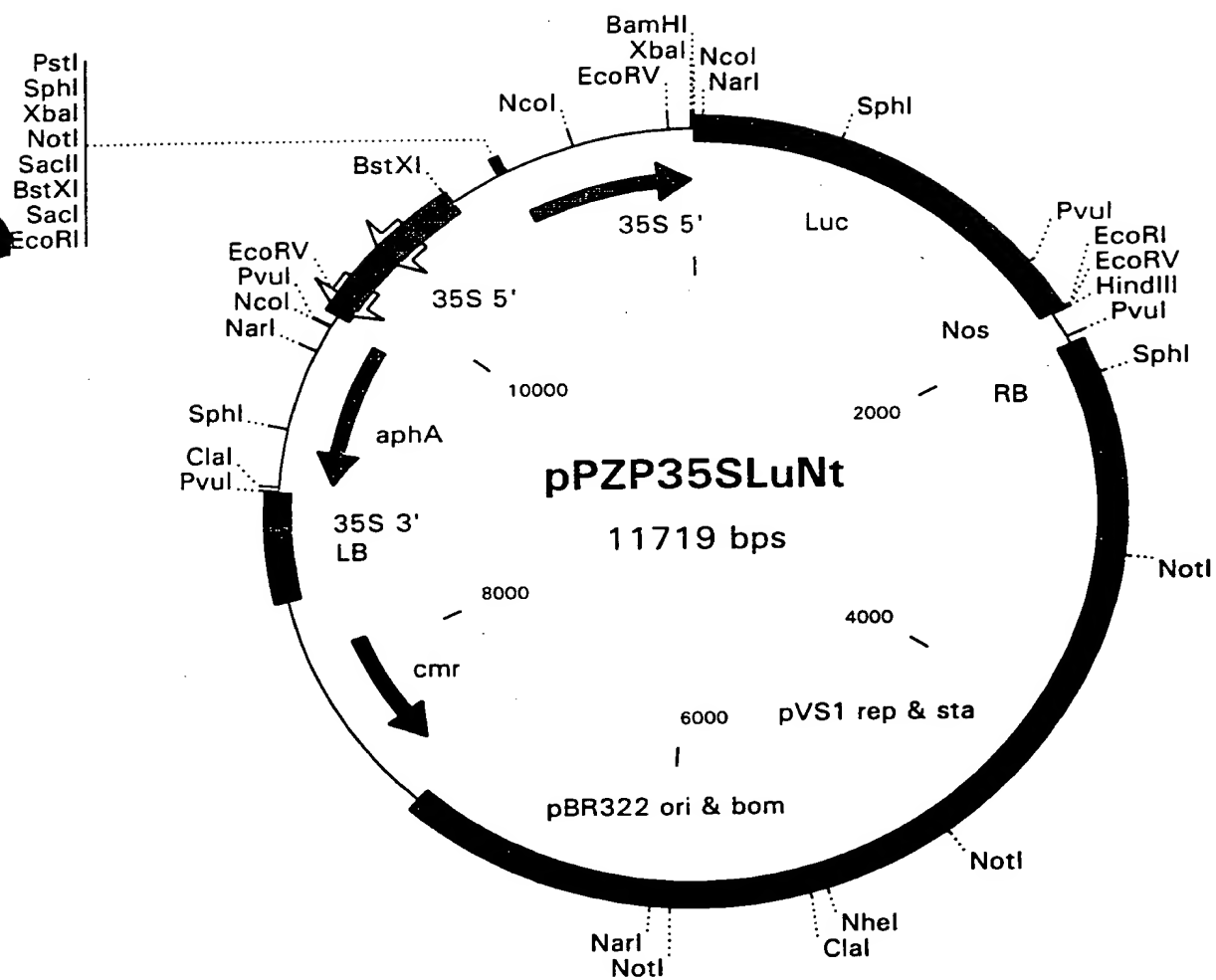


FIGURE 6A(vi)

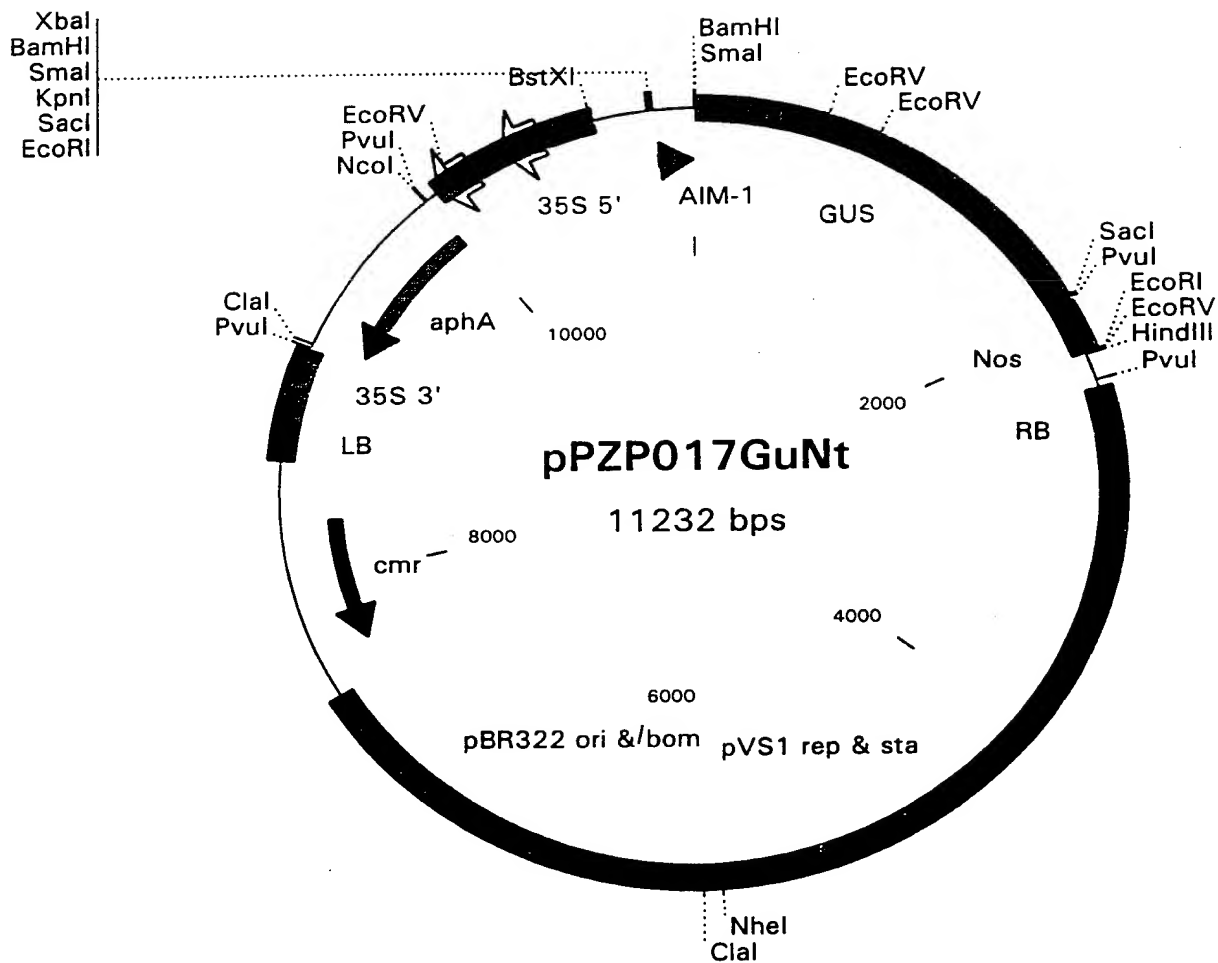


FIGURE 6A(vii)

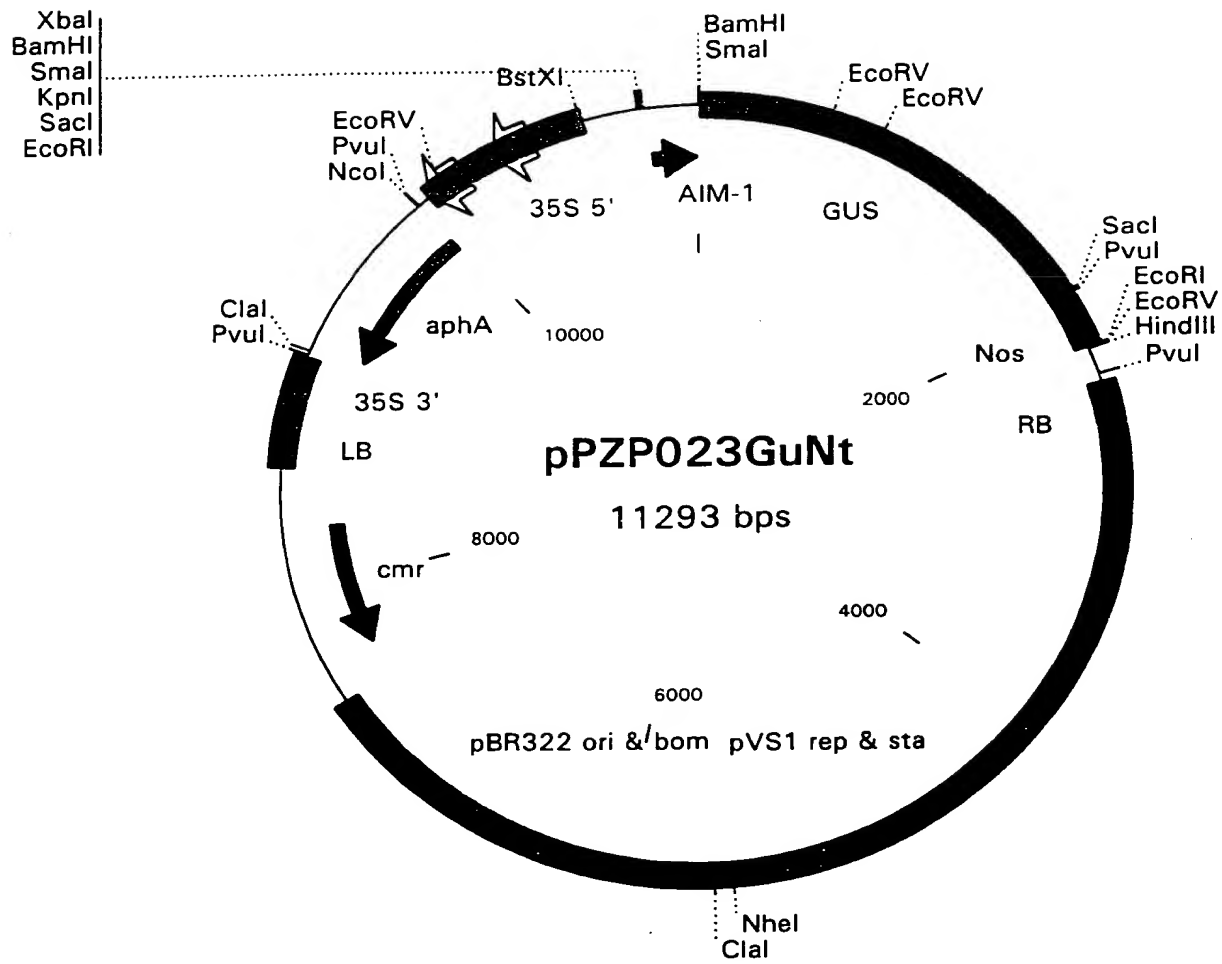


FIGURE 6A(viii)

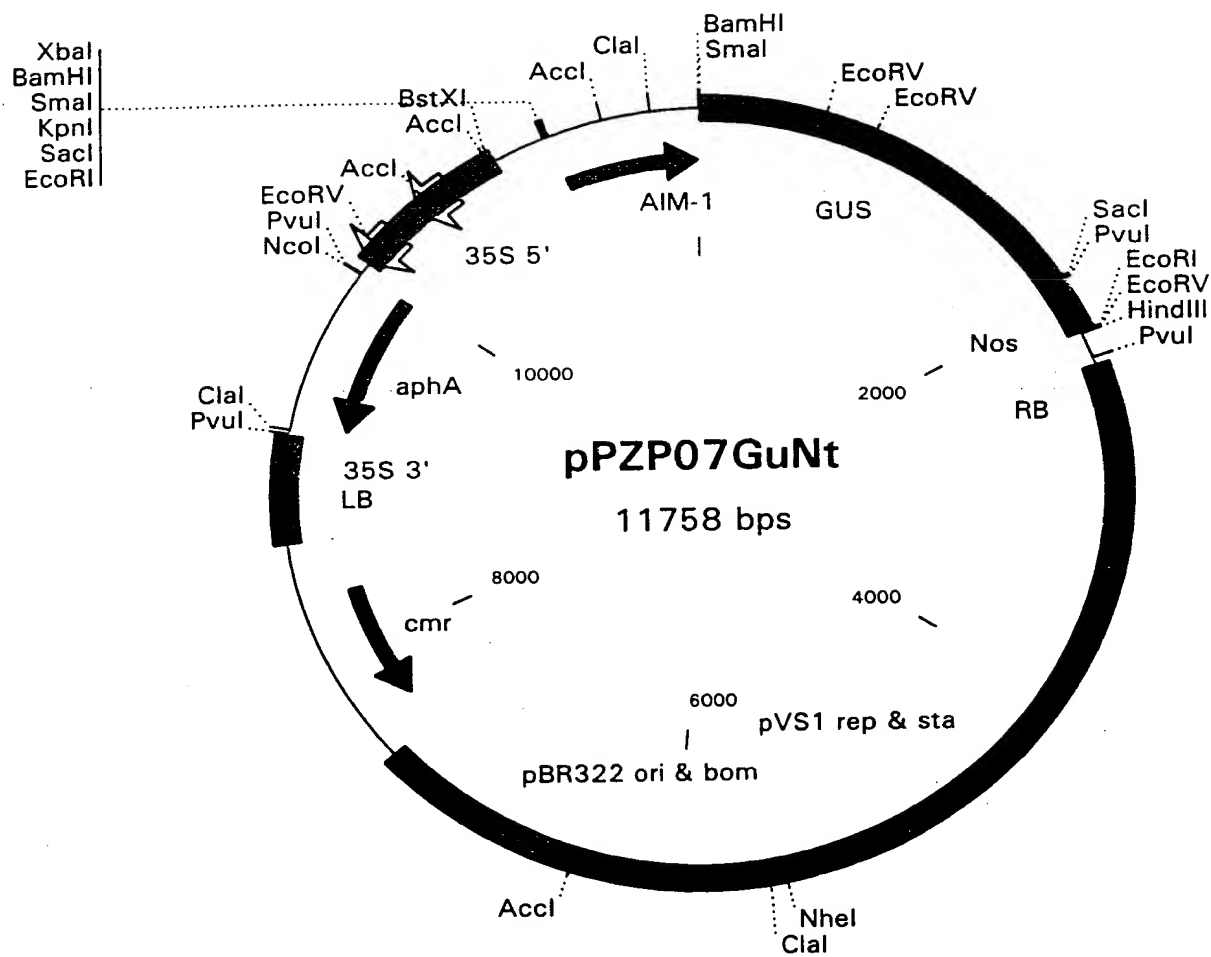


FIGURE 6(ix)

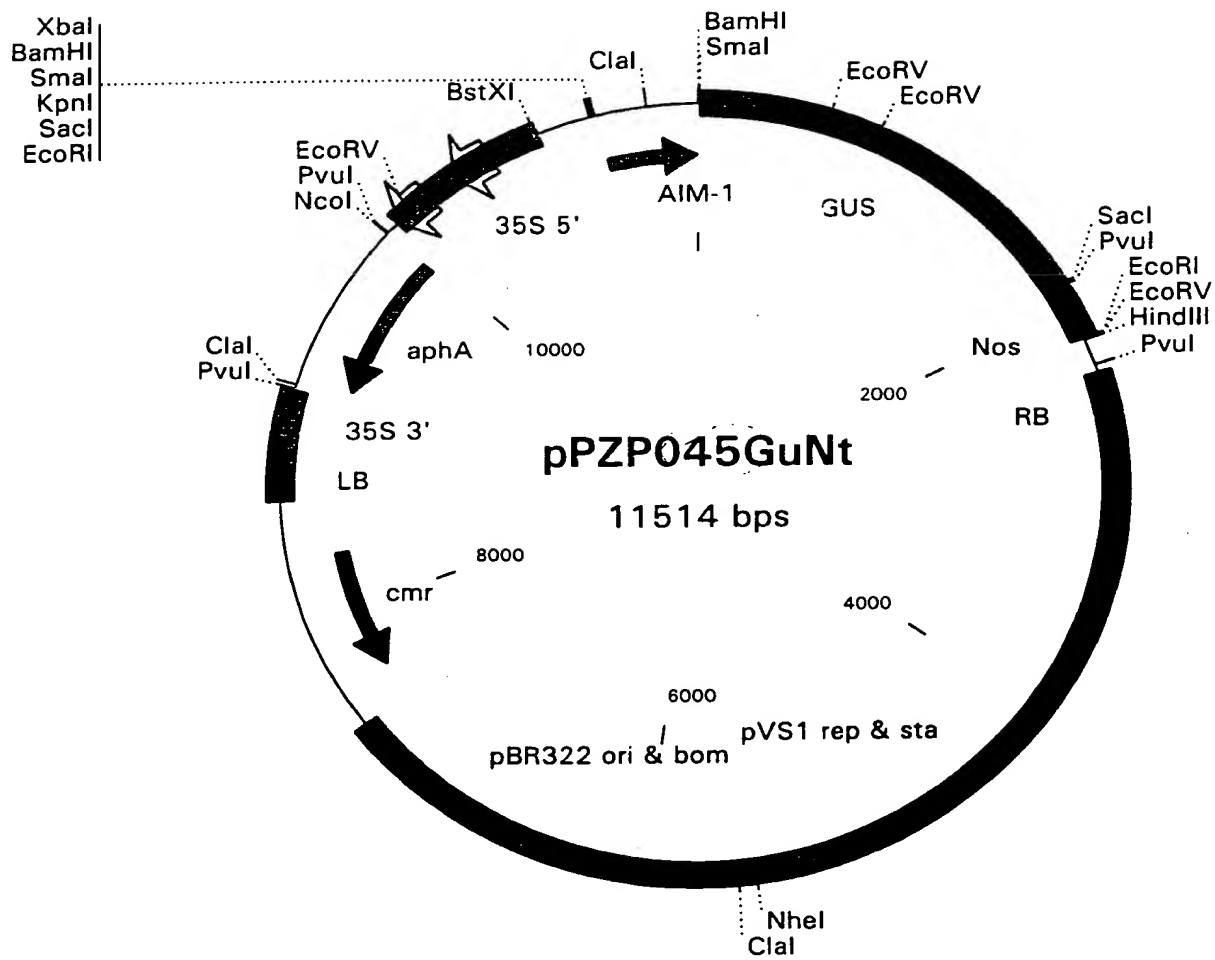


FIGURE 6A(x)

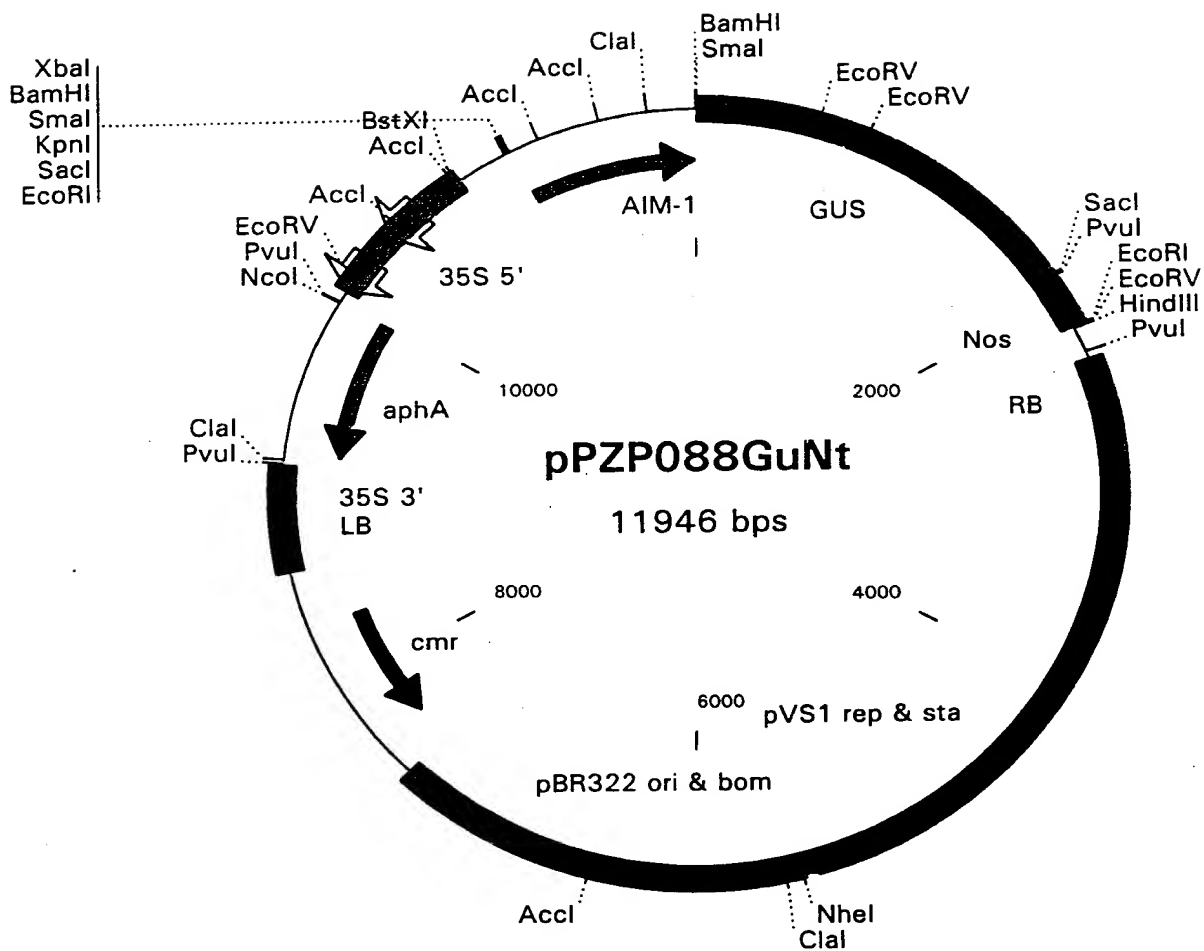


FIGURE 6A(xi)

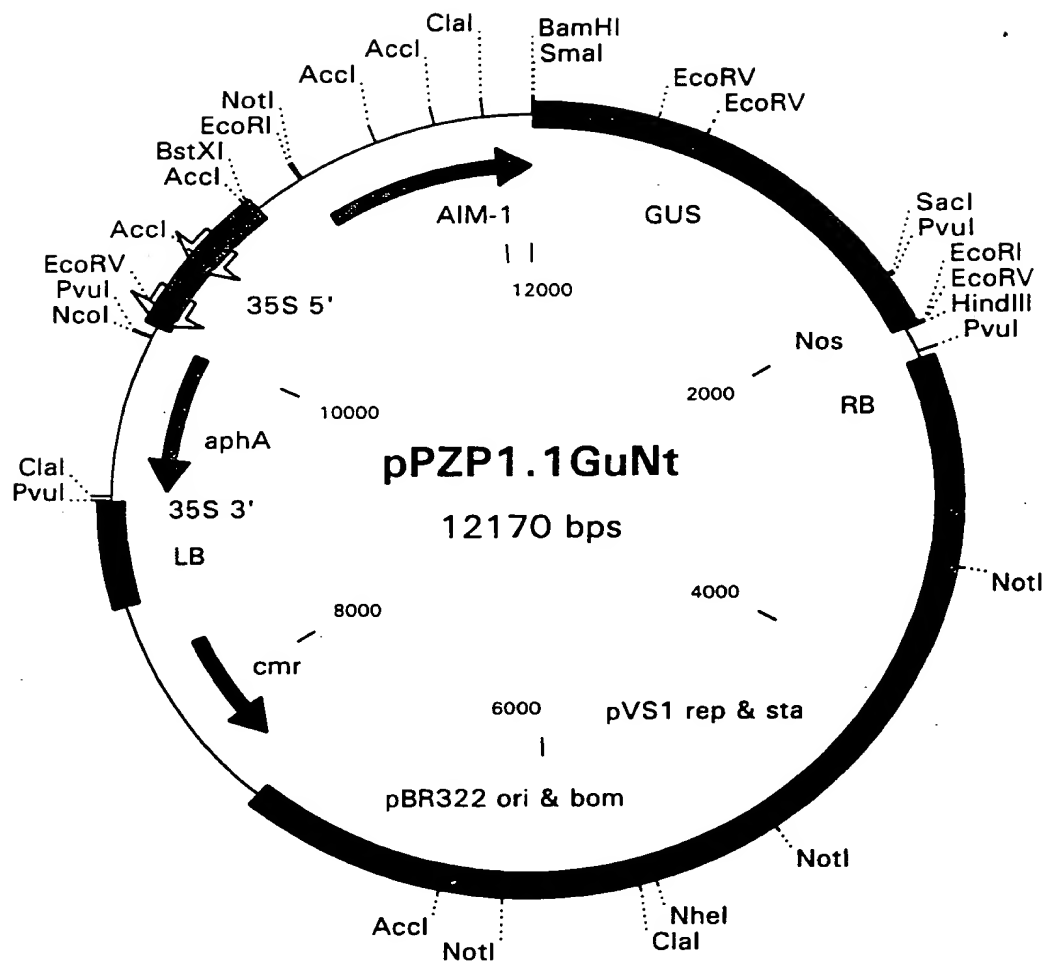


FIGURE 6A(xii)

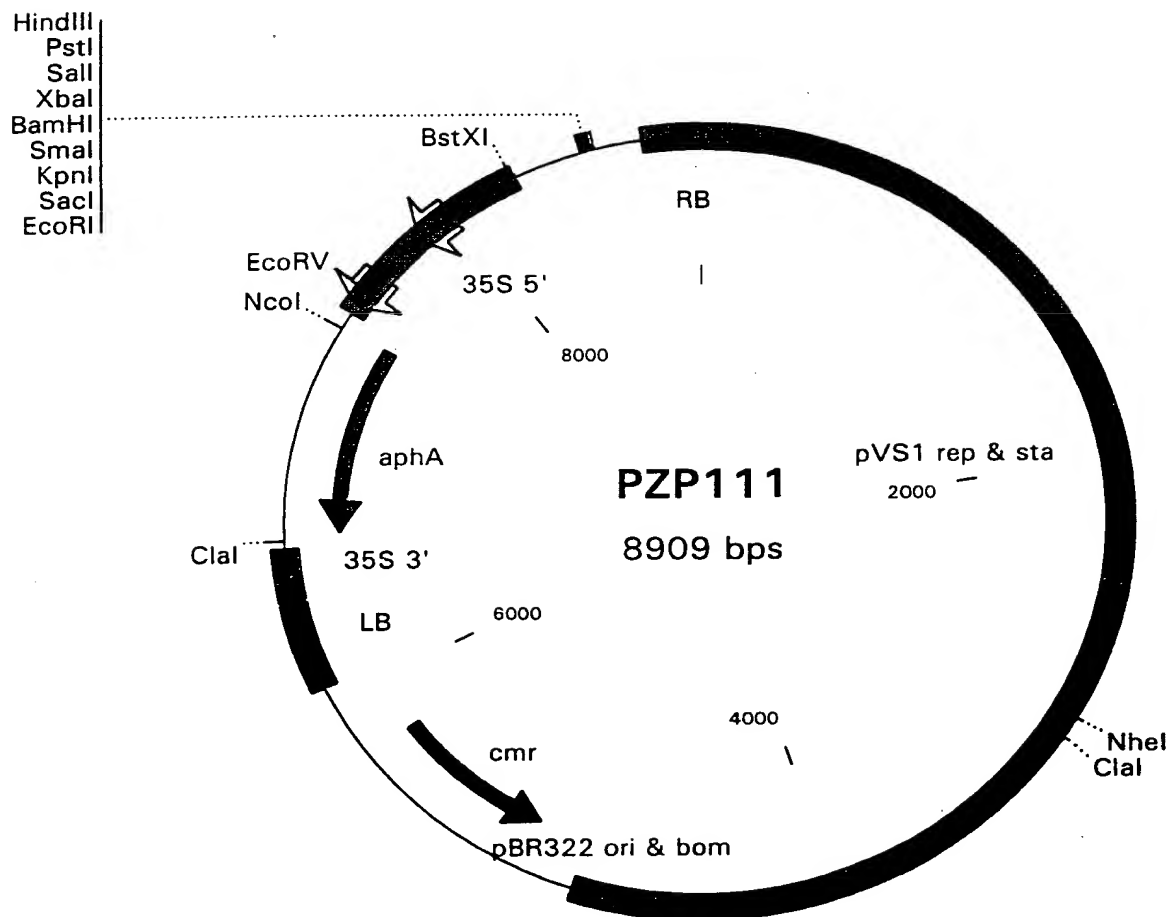


FIGURE 6B

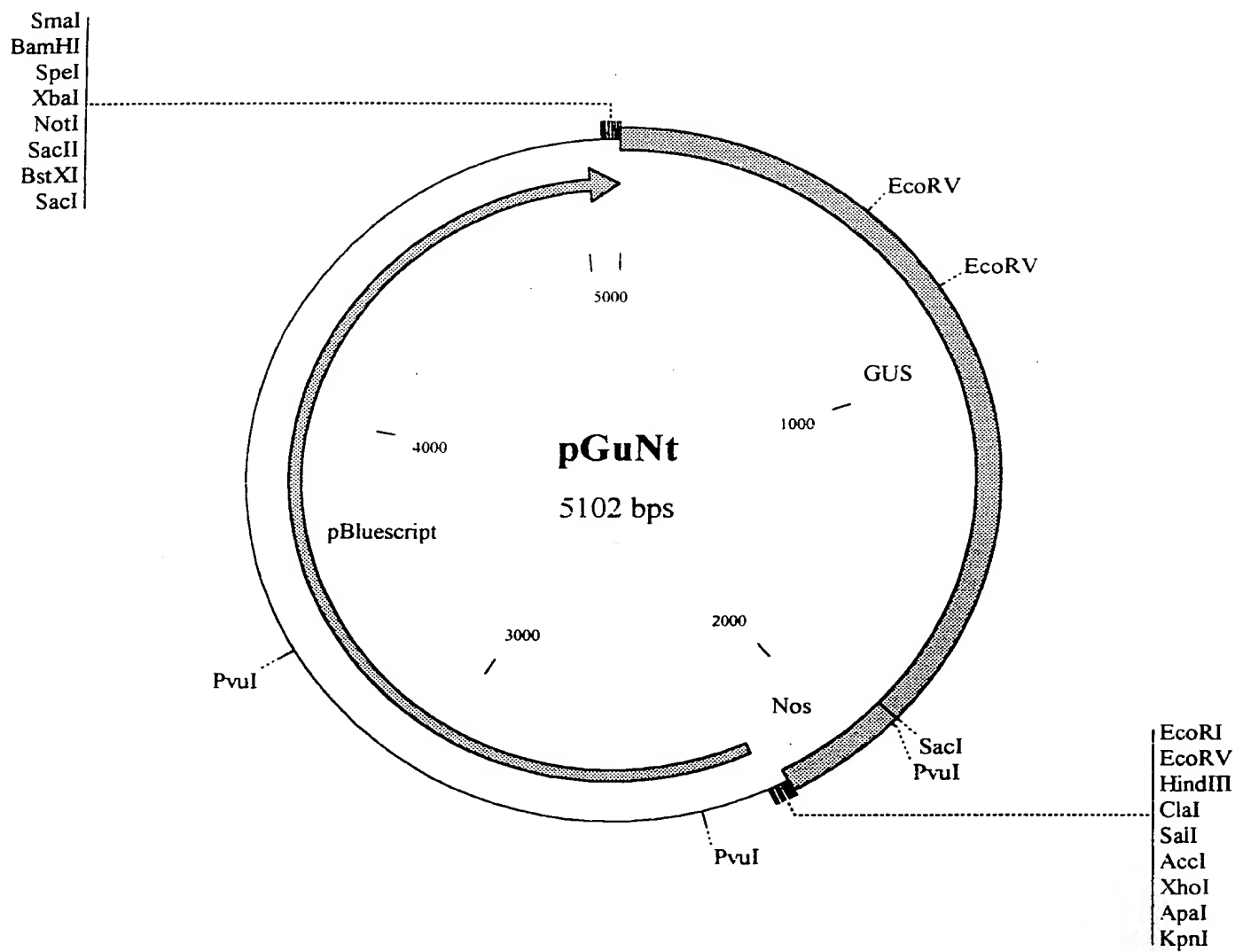


FIGURE 6C

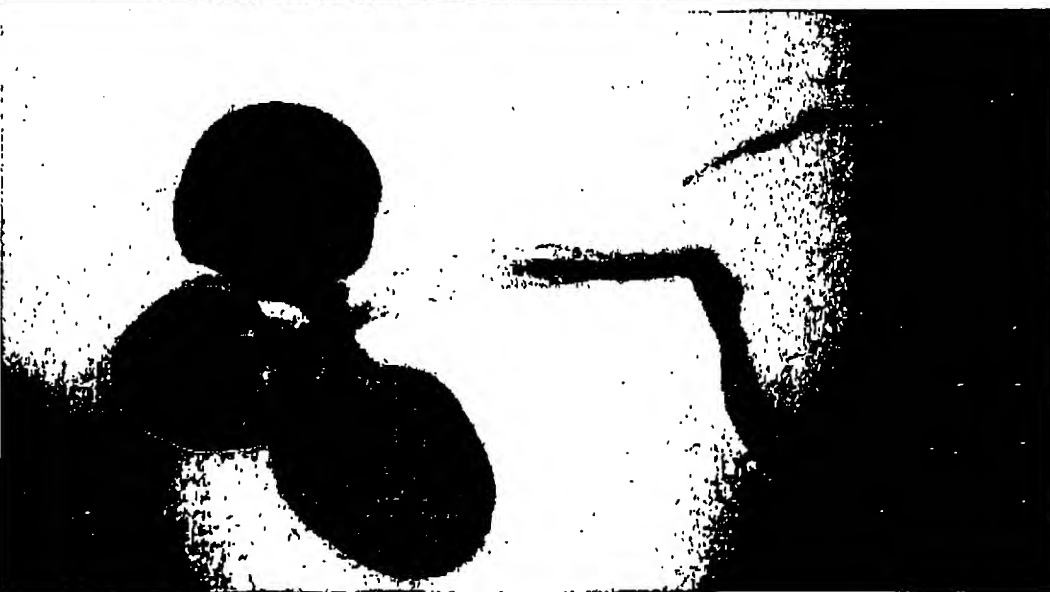
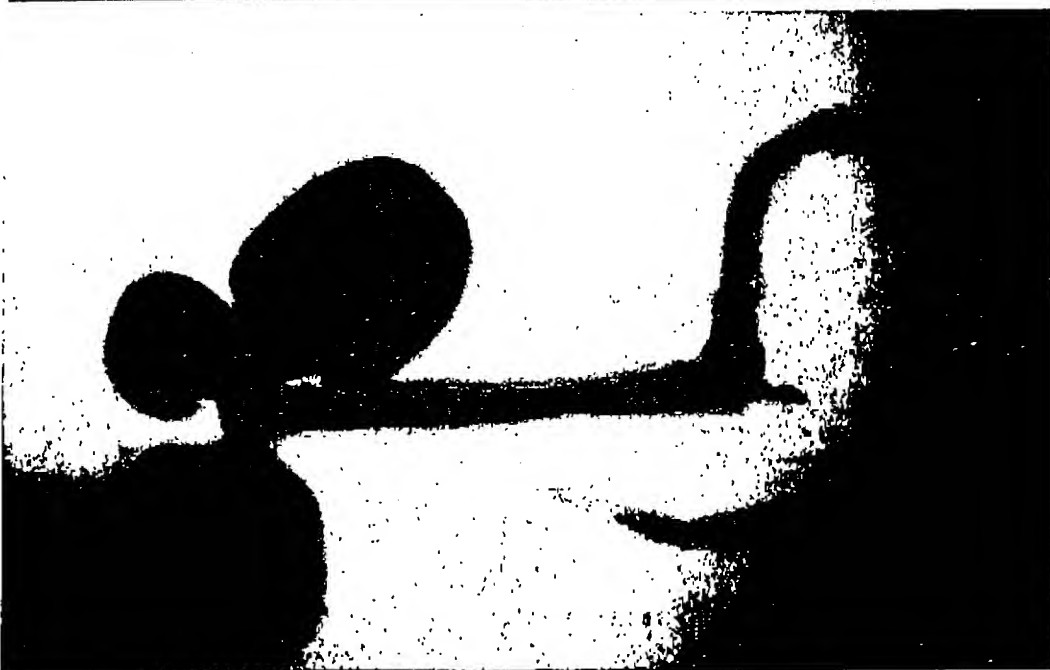


FIGURE 7